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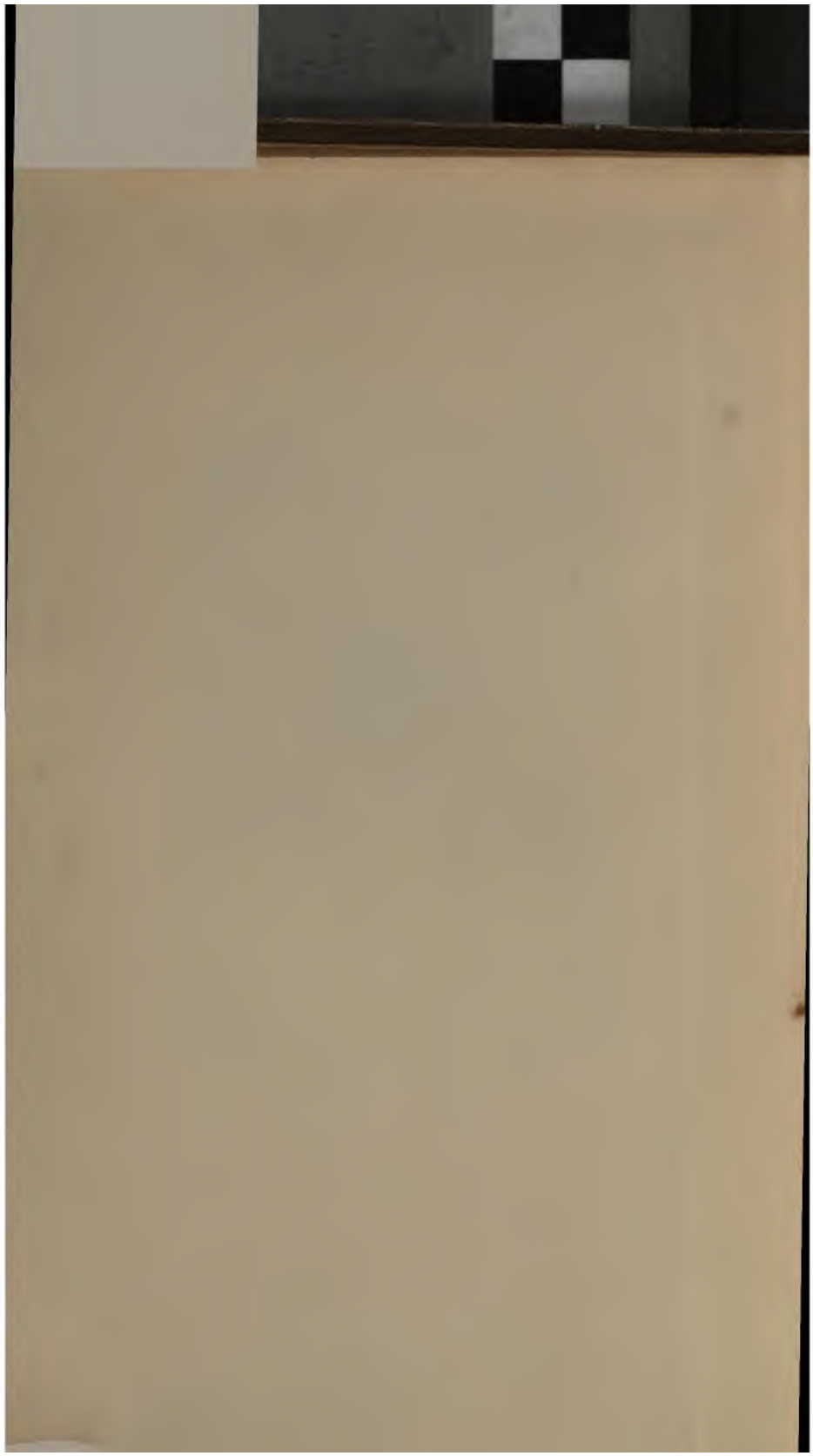
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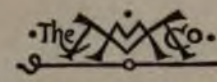






A
HISTORY OF CALIFORNIA
THE AMERICAN PERIOD





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CALIFORNIA AND THE FAR WEST, 1824

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A HISTORY OF CALIFORNIA:

THE AMERICAN PERIOD

By
ROBERT GLASS CLELAND, Ph.D.

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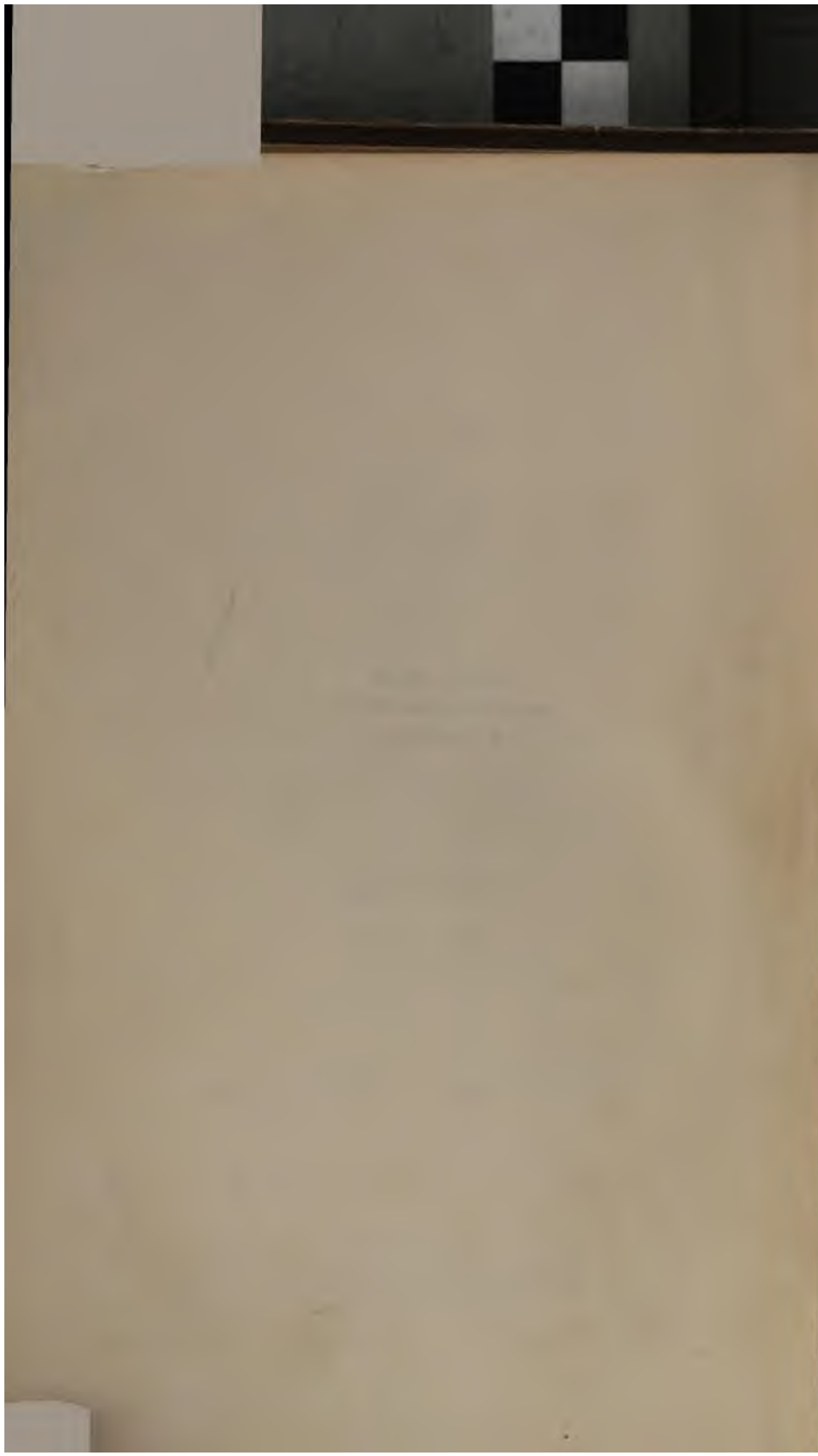
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TO MY MOTHER
AND THE MEMORY OF
MY FATHER





PREFACE

As the title indicates, this volume deals with the American period of California history. It thus aims to complement the work of Dr. Charles E. Chapman, whose *History of California: the Spanish Period*, has already made its welcome appearance from the press. As the preface to this latter volume states, the general plan of the two books was agreed upon as far back as 1914. Since that date, Dr. Chapman and the writer "have been in constant communication, but otherwise working independently, with the view to producing between them, an authoritative popular history of California."

With the exception of a slight overlapping of the writer's opening chapters with the closing pages of Dr. Chapman's narrative (an overlapping, however, which has involved almost no actual repetition of incident), each book covers a separate field. Yet the keynote of the two volumes is essentially the same, namely, that California history is vastly more significant because of its national and international aspects than for any local interest it may possess. From this standpoint, the event of primary importance in the history of California is its transformation from a Mexican province into an American state. *To* this event, as Dr. Chapman shows, the Spanish period looks forward; *from* this event, dates the California of today and the greater California of tomorrow.

In preparing this volume for the press, the writer has had in mind three objects—to make his book conform to the canons of sound scholarship; to escape a provincial and localized point of view; and to avoid being classed with those "who write for nothing so irrelevant as a reader."

Part of the material used in this volume was collected as far back as 1910 when the writer began the preparation

of a monograph (later published in Volume XVIII, Numbers 1–3, of the *Southwestern Historical Quarterly*), entitled *The Early Sentiment for the Annexation of California.* In the years since 1910, he has been working more or less steadily in the field of California history and closely related subjects, and has consulted many thousands of manuscripts and printed works in various libraries throughout the United States.

This volume, however, is something more than the product of many years of research and investigation. The writer has lived in California since 1889. He has known the state when it was still in a semi-pioneer stage, and has seen it rise to its present height of cultural development and material prosperity.

At one time or another, too, especially within the last few years, he has visited nearly every section of the state, from Imperial Valley to Humboldt Bay. Sometimes travelling by railroad; sometimes by automobile equipped with camping outfit; and best of all, sometimes with saddle horse and pack train, he has sought to familiarize himself with that vast empire of desert and mountain, thriving cities and fruitful valleys, which stretches a thousand miles along the Pacific, from Oregon to the Mexican boundary. For that empire, which the world calls California, the writer confesses an absorbing love; and for those who laid its foundations, an abiding admiration. This book, in the last analysis, is chiefly the product of that love and of that admiration.

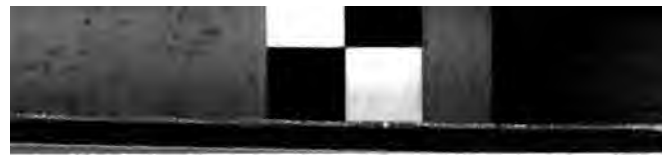
The mechanical construction of the volume is essentially the same as that employed by Dr. Chapman. Quotations from accounts by eye-witnesses—the most interesting form of all historical literature—have been freely used; and much of the "professional paraphernalia" nowadays in common use among historians has been omitted. Footnotes, except in the case of Chapter XXIX, have been employed with restraint and elaborate bibliographical references avoided. A short bibliographical note, however, appears at the close of nearly every chapter. These notes are self-explanatory;

and, except to say that the standard historians such as Bancroft, Hittell, and Eldredge, have been used throughout the course of the narrative, require no further comment here. For an excellent critical bibliography, covering the entire field of California history, one is referred to the *Literature of California History*, which appears as an Appendix to Dr. Chapman's volume.

Because of the limitations of space, it has not been possible to treat some of the important issues of California history as fully as one might wish in this volume. As an outstanding consequence—since the chief emphasis has deliberately been laid upon the years preceding and immediately following the acquisition of statehood—it has been necessary to condense the account of the developments of the last half century into the brief compass of three chapters. It is hoped that a more detailed discussion of the significant features of this period may sometime find place in another volume.

In conclusion, it is a pleasure to express the writer's gratitude to the many persons who have aided in the preparation of this work. To the attendants of the Los Angeles Public Library, whose courtesy and helpfulness have been unfailing, he wishes to acknowledge an especial obligation. To Professor Herbert E. Bolton and Professor Herbert I. Priestley, not only for the use of the materials of the Bancroft Library, but also for much personal assistance, he is likewise deeply indebted. Miss Laura Cooley of Los Angeles is especially deserving of thanks for the indexing of the volume.

Percy B. Goodell and Daniel S. Hammack, friends of long standing and companions on many a Sierra camping trip, aided in the selection of the photographs appearing in the volume. Judge Grant Jackson of Los Angeles; Mrs. Mabel Kilburn Doty of San Francisco; and Dr. George Watson Cole of the Henry E. Huntington Library placed valuable manuscript material at the writer's disposal, indebtedness for which is elsewhere more specifically acknowledged. To Dr. Norman Bridge of Los Angeles, who read many of the chapters in manuscript; and to Mr. and Mrs. Charles W.



Gates of Pasadena, the writer also expresses his appreciation.

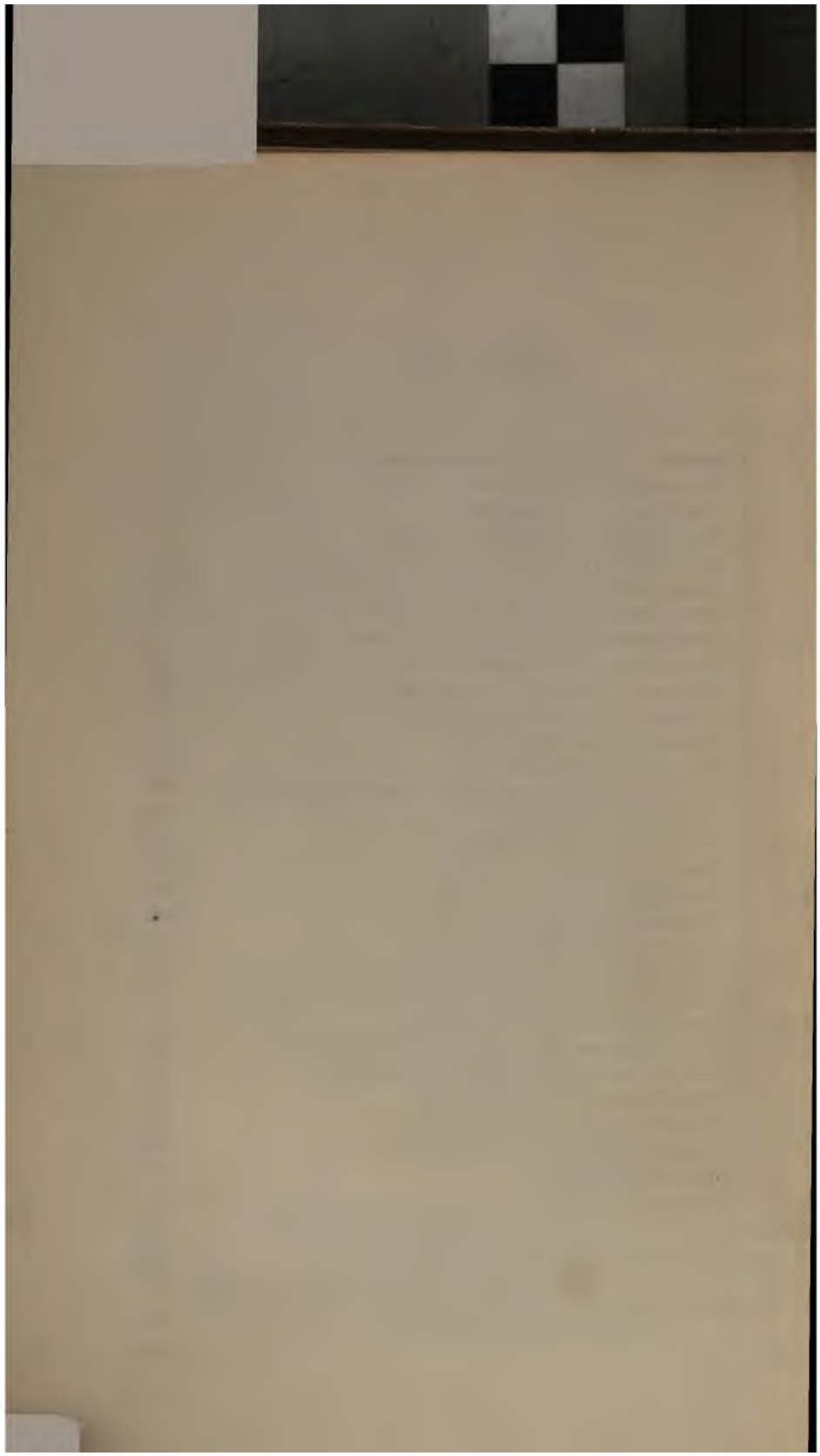
Dr. Charles Edward Chapman, author of the companion volume, has given advice and assistance in ways so numerous as to make impossible any adequate expression of the writer's thanks. Lastly, to his wife, Muriel Stewart Cleland, the author of this book owes the chief inspiration for whatever merit its pages may possess.

ROBERT GLASS CLELAND.

Occidental College,
Los Angeles, California.
March 10, 1922.

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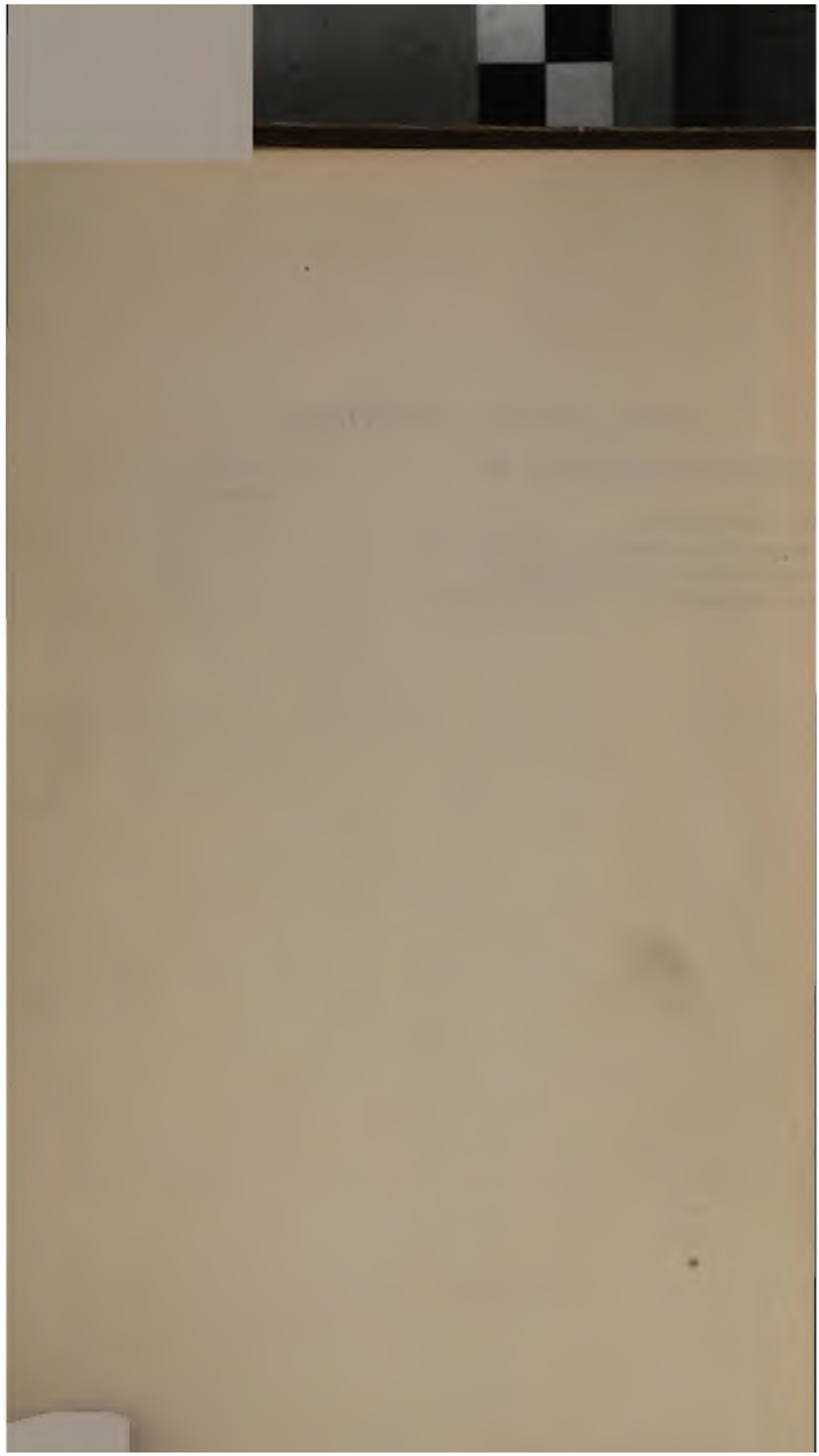
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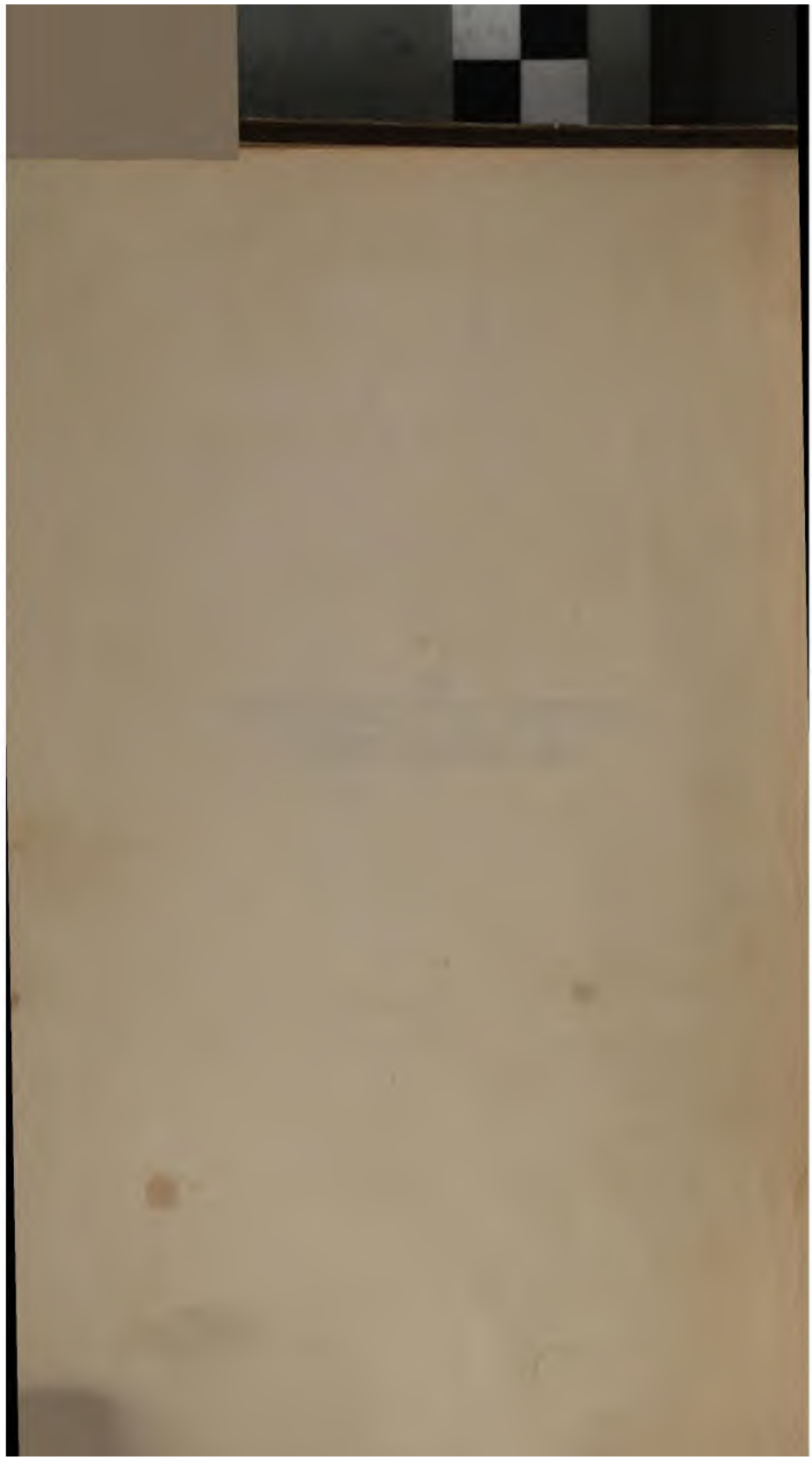
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A
HISTORY OF CALIFORNIA
THE AMERICAN PERIOD



A HISTORY OF CALIFORNIA

CHAPTER I

BOSTON, CALIFORNIA, AND CANTON

On February 2, 1848, the far-flung province of California so long the outpost of Spanish advance on the Pacific, passed out of the possession of Mexico into the hands of the United States. This change of sovereignty was the inevitable result of forces set in operation a full half century before the Treaty of Guadalupe Hidalgo formally recognized an accomplished fact. The object of the chapters immediately succeeding is to explain the motives behind the long sustained movement for the annexation of California by the United States and to point out the numerous factors which tended to weaken Mexican control over the distant province.

American interest in California was first aroused by those New England "merchant adventurers" of the latter 18th and early 19th centuries, who transformed commerce into sheer romance and left behind them a record of accomplishment and daring that has not yet faded from American tradition. In the beginning, these New Englanders were drawn to California by the fur trade of the northwest coast, and the opening of commercial relations with the Chinese Empire.

The origin of this three-cornered New England-Northwest-Chinese trade dates back to the year of American independence. In 1776, while the colony of Alta California was still in swaddling clothes, two vessels sailed from Plymouth Harbor, England—starting point of so many famous voyages in the world's history—to explore the northwest coast of America and the islands of the Pacific. The command of

this undertaking was entrusted to Captain James Cook, a navigator of the true Elizabethan type, in whose soul lived the same shrewd instincts of the sea and the same bold love of adventure that had lured Drake around the world, and sent Hawkins into the forbidden waters of the Spanish Main two hundred years before.

Upon reaching the northwest coast, after a prolonged stay among the South Pacific Islands, Cook found the natives of Nootka Sound, and of other places where his vessels touched, eager to trade with the Englishmen. For this purpose, according to the chronicler of the expedition, the Indians brought

> "skins of various animals, such as wolves, foxes, bears, deer, raccoons, polecats, martins, and in particular of the sea otters, which are found at the islands East of Kamtschatka." "The fur of these animals," the writer continued, "is certainly softer and finer than that of any others we know of and, therefore, the discovery of this part of the Continent of North America, where so valuable an article of commerce may be met with, cannot be a matter of indifference."

The sailors bought the skins from the Indians for a few trinkets of insignificant value, and used them as bed coverings for protection against the cold of the higher latitudes. When the expedition reached China, however, the furs, even though badly worn and in most cases infested with vermin, commanded extraordinary prices. The sea otter skins which the sailors had secured were especially in demand, and the Chinese readily gave over a hundred dollars apiece for them. So profitable, indeed, was the trade that the members of the expedition were with difficulty restrained from seizing the vessels and sailing back to the American coasts for a full cargo of furs, instead of completing the voyage to England.

The results of Cook's voyage were not made public until 1784; but some time before the publication of his official journals the opportunities offered by the northwest fur trade were revealed to a few Americans (among whom were Robert Morris, John Paul Jones, and Thomas Jefferson) by a very remarkable adventurer, John Ledyard, who had

served as corporal on Cook's expedition. Several attempts were made to take advantage of the new field by Morris and Ledyard; but misfortune dogged the latter's steps, so that he never succeeded in reaching the northwest coast again. Before 1790, however, British and Russian traders, profiting from Cook's discovery, were visiting the coast in such numbers that the Spanish government became alarmed and made a futile effort to shut out the interlopers. The chief result of these activities was the Nootka Sound controversy and the end of Spain's policy of exclusion north of California.

In the meantime the Revolutionary War had come to a close, leaving the American States face to face with serious problems of government and equally grave economic difficulties. The commercial situation touched especially the merchant and shipping interests of New England, forcing them to look abroad for markets and to develop new lines of commercial enterprise if they were to prevent complete stagnation of trade. As a result of this condition, a certain William Shaw, supercargo of the *Empress of China*, sailed from Boston early in 1784 for the Orient. Reaching Macao, the port of entry for Canton, Shaw disposed of his cargo to good advantage and thus opened an entirely new field for American commerce.

For more than half a century the trade thus begun not only enriched the merchants of the Atlantic seaboard, but also exerted a very profound influence upon the course of California history. Shortly after Shaw's successful venture a company of Boston merchants, headed by Joseph Barrell, conceived the idea of enlarging the New England-Chinese commerce so as to include the northwest coast. In keeping with this plan the company sent two vessels to the Pacific in 1787. These were the *Columbia*, under John Kendrick, and the *Lady Washington*, under Robert Grey.

The present narrative makes no pretense of dealing with the memorable expeditions of these two men, since their field of operations and discoveries touched the northwest rather than the California coast. Inasmuch, however, as

these voyages ushered in the New England trade with the northwest coast and China, they had a direct bearing upon California history. In this trade furs constituted the chief item of every cargo; and before long, fur hunting ceased to be localized along the northern coast, but extended from South America to Alaska, flourishing especially off the long stretches of unfrequented seaboard and in the little-used harbors of California.[1]

Most of the furs obtained by American vessels were carried to Canton, which was then one of the chief fur markets of the world. One reason for this demand for furs among the Chinese was the lack of heating facilities in their homes, and the consequent reliance of the people upon heavy clothing to protect them against the cold, both indoors and out. By those able to afford the luxury, furs were consequently much sought after; and a fur garment became a sort of heirloom to be passed down from father to son for several generations.

When the American trade with China began, the latter nation was living under its traditional policy of exclusion. Foreign vessels were allowed to touch only at a single port, that of Macao, through which entrance was had to Canton. The trade was hedged about with all manner of additional restrictions which sprang from the pride and jealousy of the Chinese government, but from the very beginning American merchants were treated with somewhat greater favor than those of European countries.

As time went on the value of the Chinese commerce became more and more apparent to New England merchants. The Yankee navigators of those early days not only had great daring and skill in the handling of ships; but also combined with their knowledge of the sea a native shrewdness and originality in business that made them successful competitors in every branch of international commerce in which they chose to engage.

[1] The first New England vessel to touch at a California port was the *Otter*, commanded by Captain Ebenezer Dorr, which put into Monterey October 29, 1796. Dorr was not a fur trader.

In the Chinese trade the New Englanders had a free field in which to exercise all their native ability. Disregarding custom and tradition, they "inverted all the ancient rules of doing business at Canton." Once in the Pacific, the navigator felt himself superior to any law that proved inconvenient to his business. Ships' papers and names were changed to suit the needs of the moment; customs duties were evaded, and forbidden trade carried on with calm disregard for local regulations. Competition with rivals of other nations and between New England merchants themselves led to secrecy in commercial dealings, constant search for new fields of enterprise, and remarkable reduction in sailing time from port to port. For the most part the vessels engaged in the China trade were sound and well equipped; but when occasion required, a Yankee captain would take a leaky, worm-eaten craft, man it with a crew made up of broken down sailors or deserters from other vessels, sail it half way around the world in spite of storm and mutiny, and make his fortune on the cargo.

In searching for commodities acceptable to the Chinese, the New England vessels soon left the regular channels of trade for out-of-the-way and, in many cases, previously undiscovered ports. They penetrated every nook and corner of the South Seas. The harbors of South America, California, and the northwest were almost as well known to them as their own coasts of New England. They became familiar sights to the natives of the Malay Archipelago and the Indians of Alaska. And when, after sailing through most of the Seven Seas, a New England vessel finally reached Canton, its cargo would be made up, aside from the original store of domestic products with which it left Boston, of a score of commodities from the world's out-lying ports—copper from Chili, sandalwood from the Sandwich Islands, rice from Manila and Java, mother-of-pearl from the Persian Gulf, and pepper, tin, fish maws, and birds' nests from the Straits Settlements. Most valuable of all were the furs from South America, California, and the northwest coast.

By a fortunate combination of circumstances the Ameri-

cans enjoyed a monopoly of this fur trade after the beginning of the century. The Russians, first to enter the field of the northwest, were limited in their intercourse with China to a semi-clandestine overland trade of too small proportions to supply a market for any considerable number of furs. The English, who might have preëmpted the business after Cook's voyage, were likewise restricted, not by Chinese law as was the case of the Russians, but by the conflicting privileges of two great monopolies—the East India and the South Sea Companies. The former, which held the exclusive right in England to trade with China, was not free to send its vessels across the Pacific for furs, and would not permit its South Sea rival to infringe upon the Chinese monopoly. The consequence was that neither company could profit by the northwest trade. In various ways, it is true, a few English vessels succeeded in trespassing upon the East India Company's prerogative; but the bulk of the business necessarily fell into the hands of Americans. In this monopoly the latter were also aided by the effect of the Napoleonic wars upon European shipping.

The New England traders soon entered into mutually satisfactory arrangements with the Russian American Fur Company, which obtained a monopoly of the Russian activities on the Pacific in 1799. Under these agreements the Russians engaged to furnish furs and companies of Indian hunters to the American vessels, while the New Englanders undertook to dispose of the skins in China and bring back such supplies as the Russian company required for its settlements in Alaska.

The furs carried to China were of many kinds—land otter, fox, rabbit, beaver, nutria, musk rat, sea lion, and sea elephant. The skins of chief value, however, were those of the fur seal and the sea otter. The fur seal abounded along the South American coast and on the adjacent islands, and from Lower California northward to Alaska. These skins formed the bulk of most of the fur cargoes carried to China until the virtual extinction of the seal in southern waters by indiscriminate slaughter. In 1798, for example,

Captain Fanning, in command of the *Betsey*, obtained a full cargo of seal skins from a single hunt on the island of Masafuero; and during the course of the next few years the same island yielded more than a million skins to other American hunters. In one year, it is said, thirty vessels were engaged in the industry off the South American coast. California was likewise a favorite hunting ground for these early sealers, the Farallon Islands alone producing over 150,000 skins between 1809 and 1812. The pelts brought an average price of a dollar and a half or two dollars in the Chinese market; and each animal also furnished nearly a gallon and a half of excellent oil.

The fur of chief importance in California history, however, was not that of the seal but of the sea otter. This animal, indeed, exerted almost as great an influence as the beaver upon the course of North American history. It was responsible for the Russian occupation of Alaska, the early voyages of Englishmen to the British Columbia coast, and the first contact of Americans with California and the northwest.

To describe the fur of the sea otter one must appropriate good old Sir Isaac Walton's tribute to the strawberry—"Doubtless God might have made a more beautiful fur, but doubtless He never did." The skin of the full grown animal was nearly five feet long, and from two feet to two and a half feet wide. The fur, normally about three quarters of an inch in length, had a jet-black, glossy surface of surpassing beauty. The finest skins also contained some white hairs intermingled with the black.

The habitat of the sea otter extended from about 28° north latitude to the Aleutian Islands. It was found in largest numbers off the coasts of Upper and Lower California, and on the islands of Cerros, Guadalupe, San Miguel and those of the Santa Barbara Channel. The otter of these channel islands, in fact, yielded the most valuable fur of the entire coast from Alaska to Lower California; and the stretch of sea from Catalina to Santa Cruz was consequently a common hunting ground for American vessels. The long reaches of San Francisco Bay were also favorite

haunts of the animal; and above the California line, it was found in largest numbers in the vicinity of Cape Blanco, Point Grenville and Grey's Harbor.

Vessels engaged in the traffic obtained furs in various ways. On the northwest coast most of the skins were secured by trade with the Indians. In California waters the New Englanders both hunted on their own account and also purchased skins from the mission authorities or government officials. By an arrangement already mentioned, the Russian American Company sometimes furnished American vessels with Kadiak Indians to serve as hunters. These hunters were brought down to the California coast, and left in small groups on the Farallon, Channel, or Lower California Islands. From time to time the vessel then brought them supplies, or came to take off the skins already procured. Since these Indian hunters lived almost entirely upon the flesh of the animals secured, the cost of procuring furs in this way was very low.

The Indians hunted chiefly from the shore, or in skin canoes called bidarkas. They sometimes used rifles in hunting, but more commonly employed nets, clubs, and spears. The use of these primitive weapons, however, resulted in a serious wastage of furs, since many of the otter, killed after a long chase, sank beneath the water and were never recovered. This difficulty was sometimes obviated by the use of a native wooden harpoon, with a head some six or eight inches long, to which was attached a long string.

The Americans, when hunting by themselves or with Indian crews, employed a specially constructed boat known as the otter canoe. This was generally fifteen feet long, five feet wide, and eighteen inches deep. The ends were pointed and the sides somewhat flaring. Short, thick bladed paddles were used, because the ordinary paddle was not capable of driving the canoe through the thick beds of kelp where the otter were usually found. The crew of such a boat consisted of three men, two to paddle, and one to shoot. Three canoes ordinarily hunted in company, one in the center

and one on either flank to prevent the animal from escaping. Two or three rifles, a little coffee, tea, and shipbread made up the equipment of each canoe.

There is no way of determining the number of sea otter skins carried from the northwest coast and California to the Chinese market. William Sturgis, one of the best known and most successful of the New England traders, estimated the number at approximately 18,000 for the year 1801. The following table will also help to show something of the importance of the trade from 1804 to 1812:

Year	*Number of Skins*	*Year*	*Number of Skins*
1804–5	11,000	1808–9	7,944
1805–6	17,445	1809–10	11,000
1806–7	14,251	1810–11	9,200
1807–8	16,647	1811–12	11,593

The profits from the trade were often enormous, though competition among the traders sometimes raised the price demanded by the Indians beyond all reason, or glutted the Chinese market. The vessels, of from 100 to 250 tons burden, usually spent between two and three years away from their home port in New England, making one or two trips from California or the northwest to China during that time. In trading with the Indians, blue cloth, beads, knives, blankets, gunpowder, bright colored feathers from the Sandwich Islands, or even abalone shells were exchanged for the furs. Sturgis on one voyage collected 6,000 skins, purchasing 560 in half a day with goods worth a dollar and a half in Boston. The same skins sold for $40 apiece in the Canton market. On his first voyage Richard Cleveland, like William Sturgis a well-known New England trader, succeeded in purchasing from the Norfolk Sound Indians more than 300 skins at a cost of two yards of cotton cloth apiece. The same skins were then selling for $23 each in the Canton market. Jonathan Winship, when master of the *O'Cain*, bought furs for two cents each from the Indians of Trinidad Bay; another fortunate navigator received $8000 in furs in return for a rusty iron chisel. On one occasion an invest-

ment of $40,000 returned $150,000; again, a profit of $284,000 was obtained from an outlay of $50,000.

The average price for sea otter skins at Canton was in the neighborhood of $40, but the trade was subject to severe fluctuations. In 1785, prime skins were bringing $120 each; by 1802, however, they were selling for only $20; a few years later, they had a market value of nearly $50.

As the otter decreased in number, the Americans and Russians gradually abandoned the organized expeditions along the California coast. But for many years the business was continued on a small scale. Occasionally a hundred or more skins would be taken by one of these later expeditions, but the day of the sea otter as an important factor in California history was definitely over before 1820. While it flourished, however, the influence of this early coastal fur trade and the Chinese commerce of which it was a part can scarcely be over-estimated. From it the American public acquired their first knowledge of the resources and possibilities of California. From it, also, came the first impetus in the movement for annexation.[2]

The material relating to the coastal fur trade and the New England-Chinese commerce is fragmentary and widely scattered. This chapter has been based principally upon the following sources:

1. Unpublished manuscripts in the Bancroft Library.

2. Various articles in such magazines as Niles' *Register*, and Hunt's *Merchant's Magazine*.

3. (a) Shaler, Robert, *Journal of a voyage from China to the northwestern coast of America made in 1804*," in the *American Register*, III (1808), 136–175. The portion of this narrative relating to California will be found in Appendix B of this volume.

(b) Cleveland, Richard J., *Narrative of voyages and commercial enterprises* (Cambridge, 1842).

[2] The sea otter is almost unknown today on the California coast. One herd, however, has been seen within the past few years off Monterey. The California law imposes a heavy fine for killing the animals, and it may still be possible to save the species from extinction. The fur is sometimes obtainable in the London market at an exhorbitant price.

[redacted]

CHAPTER II

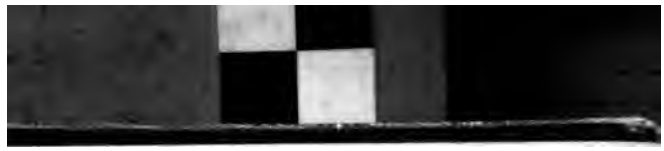
RESTRICTIONS AND EVASIONS

So long as California remained under Spanish control, foreign vessels were forbidden to trade along the coast. This restrictive policy, however, was subject to constant evasion, both through the daring and ingenuity of the American navigators; and because necessity and self-interest, coupled with the lack of any adequate means of enforcing the royal decrees, led the Californians themselves to encourage all manner of illicit trade with the foreign interlopers.

In this conflict of interests between crown and colonists California enjoyed no unique distinction, for the same conditions existed everywhere in the Spanish possessions. But inasmuch as the Californians were farthest removed from the seat of authority in Mexico, they were able to enjoy an exceptional freedom in their commercial intercourse with vessels of other nations.

In the province itself, except for a few of the crudest arts, there was almost no industrial life. Because of this lack of domestic manufactures, the comfort and welfare of the Californias could be served, law or no law, only by dealings with the foreign trader. The better classes among the Californians were naturally most dependent upon the commodities obtainable in this way, and the trade was therefore highly favored by the missions authorities, wealthy rancheros, and government officials—the last, especially, obtaining from it not only badly needed supplies, but also very considerable sums of ready money with which to increase their meager and precarious salaries.

While the Californians were thus very materially benefitted by the coming of the foreign ships, the latter profitted equally through the trade. The greater part of the business



was carried on by barter, and for this purpose the Americans brought with them a wide variety of goods, chiefly from New England, Europe, and China. Thus the cargo of a fur vessel ordinarily consisted of shoes, hardware, crockery, decorated china, cotton cloth, silks of various hues, shawls, pepper, spices, handkerchiefs of every variety and color, gunpowder, and a hundred and one other articles to meet the needs or vanities of Spanish padre, gallant and señorita.

In addition to the skins received in exchange for such articles, the foreign vessels also obtained large quantities of supplies, especially beef, hogs, beans, and grain, which they carried to the Russian settlements in Alaska, along with merchandise from New England and China. Fresh vegetables from the mission or ranch gardens were likewise in great demand to prevent scurvy among the crews, and not infrequently these were accompanied by presents of fresh eggs or other delicacies from padre or ranchero to the ship's commander. It is not recorded, however, that such marks of hospitality dulled the traditional skill of the Yankee captains in subsequent trading operations with the courteous Californians.

One of the most serious problems of the navigator off the California coast was that of keeping his vessel in repair and free from barnacles and sea growth. These not only retarded the sailing power of the ship, but if allowed to collect too long also furnished a breeding place for parasites which eventually ate through the ship's timbers and made her unseaworthy.

The usual practice was to careen the ship at certain intervals and burn or scrape off the accumulated growth. This could not be done, however, in any of the well known ports of the California mainland, without exposing the ship in its helpless condition, together with the crew, to the danger of capture by some unusually zealous or over-covetous official. This, of necessity, led the American navigators when in California waters to seek out-of-the-way harbors, where the cleaning and refitting of their vessels could be carried on without fear of annoyance from meddling officers

of the law. The Gulf of California furnished several bays suitable for such operations; but the most frequented of these ports of refuge were provided by certain islands which lay not far from the California mainland. One of the most favored of these was the well-sheltered harbor of Catalina, since known as Avalon, to which thousands of visitors now go annually to enjoy the restfulness and delight of its climate and semi-tropic waters.

The first American ship of record to sail into this quiet bay was the *Lelia Byrd*, under command of William Shaler, a northwest fur trader of characteristic New England stuff. Since the difficulties experienced by Shaler in repairing his vessel, and the ingenuity shown in overcoming his predicaments, were typical of many another trader on the California coast in those early days, the story is worth repeating in some detail.

The *Lelia Byrd*, even when she left Canton for the northwest coast, was so leaky and unseaworthy that "she required pumping every ten or fifteen minutes" to keep her afloat. A year of traffic from the Columbia River to Guatemala naturally did not improve her condition, and on May 1, 1805, Shaler sailed into the harbor of Avalon to repair the damaged and leaking craft. The harbor he named Port Roussillon, in honor of a Polish exile who had associated himself in the enterprise with Shaler and his partner, Richard Cleveland.

In this sheltered bay, some twenty miles from the mainland, Shaler beached the *Lelia Byrd* in perfect security and established a temporary camp on shore where he landed all the movable parts of the cargo. In these operations he was assisted by the Indian inhabitants of the island, about a hundred and fifty in number. The method used in repairing the vessel can best be described in the mariner's own words:

"After caulking the ship's upper works, and paying or rather plastering them with a mixture of lime and tallow, as we had no pitch, tar or any resinous substance on board, we careened her. We found her bottom in a most alarming state; the worms had

nearly destroyed the sheathing, and were found to be lodged in the bottom planks. I was now pretty well assured of what I had long before feared; that is, that she would not carry us back to Canton. We, however, repaired the first side in a tolerable manner, and paid it with a thick coat of lime and tallow; righted and hove out the other side, which we found far worse than the first. The keel and stern-post were nearly reduced to a honeycomb. It was necessary to heave her far out, in order to apply effectually such remedies as were in our power, but unfortunately we hove her rather too far, and she upset and filled. This was a sad misfortune. It did not discourage us, however, and we went to work with spirit and resolution to remedy it, and had the satisfaction of righting her the next day, without apparently having suffered any material damage. The day following we pumped and bailed out the water, and the day after hove the ship out a third time, but had the misfortune to find her leak so bad that we were obliged to right her immediately. I next determined to lay the ship ashore at high water, and endeavor to repair her when the tide should leave her. The experiment was tried without effect, as she buried herself so much in the sand as to put it out of our power to do anything effectual; but the greatest misfortune was that, as the tide came in again, we found the ship leak so bad that both pumps were necessary to keep her free. This demanded an immediate remedy; and as the leak was known to be aft, I ordered the mizenmast to be cut away in order to come at it. The leak was soon discovered by this means, but so situated that we could apply no other remedy than the lime and tallow that had been previously prepared for her bottom; this, mixed with oakum, was driven down on the leak and we had the satisfaction to see it reduced by these means to one pump by the time she was afloat. We now burnt a large quantity of lime, which we put into stiff mortar, and put on the first, laying a platform of boards over it, and covering the whole with several tons of stones to keep it firmly down. This new method of stopping leaks we found to answer very well, as in the course of a few days, when the mass had consolidated, the ship made very little water." [1]

As has already been remarked, while the trade carried on by such vessels as the *Lelia Byrd* was contrary to Spanish law, few attempts were ever made by the government to

[1] See Appendix B. Shaler made two voyages to California in the *Lelia Byrd*. The incident recorded here occurred on the second voyage.

stop the illegal traffic, beneficial to Californian and foreigner alike, or to confiscate the offending vessel. A few instances, are recorded, however, where the unexpected took place and the innocent smuggler found himself in the toils of an almost forgotten law. On her first voyage to California, the *Lelia Byrd*, armed like most vessels of her class, got into unexpected difficulty with the commandant at San Diego.

This incident occurred early in 1803. Shaler and Cleveland, after reaching the Pacific by way of Cape Horn, had carried on a semi-clandestine, but highly profitable trade in a number of the Spanish ports of the west coast. At San Blas, to mention a typical incident, they secured sixteen hundred sea otter skins, recently arrived there from California, at a price which ensured them a profit sufficiently large to cover the entire cost of the voyage. After this transaction, in which a Mexican official, as well as the Americans, broke the law and made a fortune, Shaler brought the *Lelia Byrd* into the harbor of San Diego. Here, or so he had heard at the Tres Marias Islands, "a parcel of sea-otters' skins, which might be obtained advantageously," awaited his arrival.

Shortly after the vessel anchored in San Diego harbor, the commandant of the presidio, Don Manuel Rodríquez, came aboard with all the pomp and dignity he could muster, and left a guard on the *Lelia Byrd* to see that no contraband trade was carried on. From the sergeant of this guard Shaler learned that a few days before, another American ship, the *Alexander*, commanded by Captain Brown, had been at San Diego and had succeeded in purchasing several hundred otter skins from soldiers and residents of the town. News of the transaction having come to Don Manuel's ears, he had boarded the ship and seized the skins, together with some of the cargo. Added to those already in his possession, the confiscated furs increased the commandant's stock to nearly a thousand.

"These skins," wrote Cleveland, "we made every effort to obtain from him; and, though there is no doubt that he would have been as well pleased to sell as we should have been to purchase them, if the transaction had been practicable without being

known to the people, yet, as this was out of the question, and they were all spies on each other, he dared not indulge his desire of selling them to us. Had Brown negotiated with the commandant first, it is most probable he would have obtained the whole quantity, and, at the same time, have avoided the humiliating predicament of having his ship taken possession of by the rabble."

Since there was no prospect of securing the furs held by Rodríquez, Shaler and Cleveland prepared to quit the harbor. But having learned that a few skins might be purchased from private parties, the Americans sent two boats ashore under cover of darkness to complete the transaction. One of these boats returned in safety; but the other, which contained the mate and two sailors, was seized by the commandant, who bound the men and left them under guard on the beach. The following morning Cleveland and Shaler rescued the prisoners and regained possession of the confiscated boat. The proceedings were simple, as Cleveland narrates them:

"As a preliminary step, the guard on board were disarmed and made to go below; then I went with four men, each with a brace of loaded pistols, to the rescue of those on shore. On landing, we ran up to the guard and, presenting our pistols, ordered them instantly to release our men from their ligatures; for they had been tied hand and foot, and had been lying on the ground all night. This order was readily complied with by the three soldiers, who had been guarding them; and, to prevent mischief, we took away their arms, dipped them in the water, and left them on the beach."

Having gotten the men safely on board, the next problem was to escape from the harbor without being sent to the bottom by the Spanish fort at the entrance. Shaler had already examined this fortress and found it equipped with eight brass nine-pounders, in fair condition, and an abundance of ammunition. In leaving the harbor a vessel had to pass within easy musket shot of this fort, and as the breeze had almost died away, the escape of the *Lelia Byrd* seemed highly unlikely. The Americans, however, resolved to take the risk, and thus brought on the bloodless Battle

of San Diego, March 22, 1803. Of this engagement Cleveland gives the following account:

"While making our preparations, we perceived that all was bustle and animation on shore; both horse and foot were flocking to the fort. Our six three-pounders, which were all brought on the side of the ship bearing on the fort, and our fifteen men were all our force, with which to resist a battery of six nine-pounders, and, at least, an hundred men. As soon as our sails were loosed and we began to heave up the anchor, a gun without shot was discharged from the battery, and the Spanish flag hoisted; perceiving no effect from this, they fired a shot ahead. By this time our anchor was up, all sail was set, and we were gradually approaching the fort. In the hope of preventing their firing, we caused the guard in their uniforms to stand along in the most exposed and conspicuous station; but it had no effect, not even when so near the fort that they must have been heard imploring them to desist firing, and seen to fall with their faces to the deck, at every renewed discharge of the cannon. We had been subjected to a cannonade of three quarters of an hour, without returning a shot, and fortunately, with injury only to our rigging and sails. When we arrived abreast the fort, several shot struck our hull, one between wind and water, which was temporarily stopped by a wad of oakum. We now opened our fire, and, at the first broadside, saw numbers, probably of those who came to see the fun, scampering away up the hill at the back of the fort. Our second broadside seemed to have caused the complete abandonment of their guns, as none were fired afterwards; nor could we see any person in the fort, excepting a soldier who stood upon the ramparts, waving his hat, as if to desire us to desist firing."

In the San Diego episode, no great harm was done either to the battery on shore or to the fur traders. But a few years later, real misfortune befell a certain George Washington Eayrs, whose vessel, the *Mercury*, had up to that time enjoyed a long immunity in the contraband California trade. The unfortunate (and ungrammatical) navigator afterwards wrote this version of the affair to the viceroy.

"I left China in the Year 1808, with the small Amᵗ of Cargo about five thousand Dollˢ, my first Business was Hunting Furs, This Business I entered into with the Russian Governor, & con-

tinued several years, in which time I was in the Winter season as far south as California for supplis, and the purpose of taking Seal Skins, I received several Letters, from the head People and Pardres of California intreating me to bring them many Articles that they was in distress for, & could not obtain them from the Continent— On my return to the Russian Settlement, I obtained all the Farming utentials & that was in my Power, with the promise to make whatever more the Governor could. The Hunting and sealing Business, I continued in, untill two Years since when I obtained a large Amount of Furs of the Russian Governor. These Furs I obtained on Credit, to bring him a larg Am^{t} from Canton in Goods, & Provisions—

"I Bought an old Vessel at Canton, loaded hir entirely with Provisions, and loaded my own, with Provisions and Goods, and returned to the Russian Settlement, where I landed the two Cargos, excepting a small Amount that I reserved for the benefit of obtaining Supplis—

"I entered into a Contract with the Russian Governor, to continue in the Hunting Business; while imployed in this Business, I received Letters from Cape S^{n} Lucas, intreating me to bring them many Articles, that they was Naked, & was in great want—

"I obtained some of the same Articles again that I had Sold the Russian Governor, & took on Board, Wheat, Beans, & other things that was wanting and proseded as far as Cape S^{n} Lucas, I made sale of but little, taryed a few Days and departed for the Russian Settlement, haveing on board the same articles that is now in my Inventory.

"My Ship on my Passage to the Northward, proved very leaky and obliged me to have hir Repaired at the Russian Settlement— my detention was very lengthy, and occationed me to expend nearly all my Provisions, or insted of comeing to California, I should have proceeded on to Canton—after I had completed my Ship, took on Board as I wrote Your Excellency before, many Articles for the Russian Governor, to be left at his Settlemnt at New Albian, I delivered all that the Russian Commander could take, leaving some of the things still on board my ship, & departed for California.

. . . . . .

"On the 2^{d} June when lying near Point Conception, with my People filling up Water, my Carpenter cutting out oak for

top mast Caps, and tho completing the repairs of my ship, I was taken possession of, by an armed long Boat from the Spanish Merchant Ship *Flora* of Lima Cap^{tn} D^{n} Niculas Noar,[2] I used no means of defence, my sole purpose being for supplys, though I was treated in a hostile manner—my Ship was taken to S^{n} Barbara the same night, and it would take volumes to note down the Proceedings, all conducted in low, cowardly, mean performances—suffise it to say the Parties expected great Plunder, saying I had half a Milion on board.

The very Comedamt of the Place who seams the most devirted, and has an active part, is the very Government Officer, whom has not long since Received pay to admit me to take on board, Wheat, Beef & other Provisions, & did use his indeavours to get me at Monterray for the purpose of supplying the Coast."

Eayrs and his men were unceremoniously hustled ashore at Santa Barbara and the cargo distributed (according to Eayr's statements) between the officers of the *Flora*, the Spanish commandant at Santa Barbara, and the *Mercury's* own crew. For nearly two years Eayrs was kept more or less under restraint, without getting any satisfaction for the loss of his vessel and goods, though he bombarded the officials of the Spanish government, from port commander to viceroy, with indignant protests. Of these protests, the following are typical examples:

"San Diego, July 26, 1814.

To His Excellency, Commander-in-Chief at Guadalaxara.

Sir:—I can inform your Excellency with candor, I have become quite uneasy of my long detention. It is now nearly fourteen months since I was deprived of my ship, my property, and my liberty, nor have I been able in any manner whatever to learn which way that property is going, or receive the smallest redress, whatever. Having wrote your Excellency more than once, how my affairs have been conducted, receiving yet no answer, and being fearful of my letters miscarrying, I must intrude on your Excel-

[2] The commander of the *Flora* was named Noé. Elsewhere Eayrs says of him "It is such commandors as Don Nicholas Noar, that occasions trouble & War between the Nations of the Globe, and it is to be regretted and lamented that a thorough stop is not put to all such unlawful Commanders.



lency's patience again. The clandestine manner in which my ship was taken and conducted, and my treatment after being landed, by one of His Most Catholic Majesty's commanders, deserves particular attention, especially as this very commander had not long since been the means of my visiting the Coast."

. . . . . .

"I am a Subject of the United States of America, an honourable & independant Nation, a Nation, that never admites its Merchants the liberty of Capuring, and Plundering Merchant Ships of another Nation in a time of Piece—In time of War, the inhuman treatment that I have receiv'd, would not go unpunished by any Christian Nation whatever—

"All cases admits a hearing & Trial, and am I, who is an Independant American, Commandor of an honest Merchant Ship, to be deprived this liberty—Had my Ship been taken, and I not allowed a second Shirt to my back, been pute in confinement & sent to some Capital for Trial, it would not have been equal to my treatment, if Property is liable to be taken, human flesh I presume is not."

The damage sustained by Eayrs in the seizure of the *Mercury* represented the maximum loss suffered by American fur traders on the California coast. And in connection with this case, it is well to point out that the "lawless Don Nicholas Noar," (as Eayrs habitually calls him—the real spelling was Noé), who acted "contrary to the laws of all Christian countries" in seizing captain, ship, cargo, and an Indian concubine, whom Eayrs "esteemed equally the same as if [she had been] lawfully married to him," and even went so far as to confiscate six highly prized gold and silver watches which the Russian Governor of Alaska had entrusted to Eayrs for safe conveyance to Canton, was not under the jurisdiction of the California government, but had sailed from Lima, Peru, under direct orders from the viceroy.

The seizure of Eayrs, accordingly, was not the work of provincial authorities, nor did it at all represent their general attitude. For the Californians looked with great favor upon the foreign traders, and local officials had no desire to destroy a commercial intercourse by means of which the people of

the isolated province obtained all of their luxuries, and many of the very necessities of life.

This eagerness for foreign trade on the part of the Californians, in spite of Spanish, and later of Mexican opposition, is one of the striking characteristics of California history down to the time of the American occupation. The plan of the parent country to maintain control of the province by isolating it from the rest of the world was defeated, not only by the enterprise of the foreigner, but also by the refusal of the native to limit himself to the beef and grain of his own raising, or the cloth of his own weaving. This demand for more varied commodities meant a welcome to foreign ships, and with foreign traders came inevitably the extension of foreign influence in the affairs of California.

In addition to the Shaler-Cleveland narratives previously listed, the following manuscripts in the Los Angeles Public Library proved especially valuable in the preparation of this chapter:

1. Documents concerning G. W. Eayrs, the *Alexander*, the *Mercury*, and allied matters. 1803–1810. From manuscripts in the Archivo General Público de la Nación, Mexico. Typed transcript.

2. The *Mercury* Case. 1806–1816. Collection of original letters and proceedings relating to contraband trade on the California coast, the confiscation of the *Mercury*, and the troubles of George W. Eayrs. Also a typed transcript of the same documents.



CHAPTER III

THE RUSSIAN EXPERIMENT

WHILE the American fur traders were carrying on their operations in the Pacific, the danger of the Russian advance, which the Spanish crown had been fearful of for half a century, assumed new and formidable proportions. In 1811, at a time when Spain was torn by internal conflict, caught in the whirlwind of the French wars, and involved in the general revolt of her American possessions, a Russian colony was established within easy striking distance of her most valuable military and commercial asset in California—the Bay of San Francisco.

The story of the advance of the Russians to the American mainland, and the influence this exerted upon the Spanish occupation of California has already been told by the authoritative pen of the historian of the Spanish period. About the beginning of the nineteenth century two factors materially strengthened the position of the Russians in Alaska and made them serious contenders for the mastery of the entire northwest. In 1799 the organization of the Russian-American Fur Company consolidated the resources of the various Russian settlements, and substituted unity and a common leadership for the disorganization and bloody rivalries of previous years. For twenty years the company was given the entire use and control of all the coast of America between the 55th parallel of latitude and Bering's Strait, together with the adjacent islands, including the Kurile and Aleutian groups. In economic affairs and in the exercise of political power its monopoly was complete. The company furthermore enjoyed the favor of imperial patronage and numbered the emperor's family among its share holders.

The second factor to quicken Russian activities in America was the able character of the first governor of the recently organized company. This ruler, Alexander Baránof, was a man of merciless ambition, far-sighted imperialism, and driving energy. His character and use of autocratic powers gave him the title of the "Little Czar."

The representatives of Baránof first came into direct contact with California through the agency of the American fur traders mentioned in the previous chapter. One of these New Englanders, Captain Joseph O'Cain, after considerable persuasion, succeeded in inducing Baránof to furnish him a company of Aleut Indians with which to hunt sea otter off the southern coasts. The expedition sailed from Kadiak in October, 1803, and after hunting and trading along the Upper California coasts, continued its activities as far south as San Quentin in Lower California. O'Cain returned to Kadiak in 1804 with over a thousand otter skins and a considerable quantity of supplies for the Baránof settlements.

The Russian officer who accompanied O'Cain also brought back an alluring account of the resources and possibilities of California; and from this time on Baránof's interest in the Mexican province steadily increased. The next year (1805), the arrival of the Czar's Chamberlain, Nikolai Rezánof, to make an inspection of the Russian settlements in Alaska and investigate Baránof's conduct of the Russian-American Fur Company, by which company Rezánof had also been clothed with extraordinary powers, led to still more direct dealings of the Russians with the California settlements.

Rezánof found the Alaskan colony better governed by Baránof than it had been in previous years; but disease and starvation still took frightful toll of the unfortunate inhabitants and made their lot wretchedly hard. A surgeon and naturalist named Langsdorff, who accompanied Rezánof on his visit, thus described the conditions of life at New Archangel:

"In the month of February, out of a hundred and fifty of the youngest and most healthy men that had been selected from the different settlements and brought hither, eight were already dead, and more than sixty were laid up in the barracks with their strength wholly exhausted, and full of scorbutic sores; the chambers in which they lay had neither stove nor chimney, and the windows were shut close and nailed down. The rooms were only warmed by the pestilential breath of such numbers huddled together; and to crown all, not the remotest idea of cleanliness prevailed among them. Besides all this, the workmen often came home in the evening wet through, perhaps covered with snow, and lay down upon the beds in their wet clothes or sheepskins, or hung them up in the room to dry, without any one appearing to think of the pernicious consequences that might ensue.

This lack of sanitary and health precautions was of minor significance, however, compared to the suffering caused by the chronic scarcity of fresh provisions and the frequent insufficiency of food of any kind. When, for any one of a dozen reasons, supplies failed to arrive from Kamchatka, the Alaskan settlements faced actual starvation; and not until 1800 was some measure of relief found in the visits of the Yankee trading ships.

One of these vessels, the *Juno*, under Captain Wolfe, arrived at Sitka in 1805. From this vessel the Russian officials first obtained a quantity of provisions; but the needs of the colony were so pressing that it was ultimately determined to purchase the entire cargo and the ship as well. The advantages of the transaction were thus described by a contemporary writer:

"By this purchase the Company obtained an excellent swift-sailing vessel, with a rich lading of objects of great importance for trading with the natives on the north-west coast of America, consisting of a great quantity of linen and woolen cloth, of kitchen utensils, knives, axes, hatchets, some fire arms, etc., etc. But above all, a large supply of excellent provisions was obtained, by which all apprehensions of the menaced famine were removed. In fact, it was principally for the sake of this supply that the purchase was made.

Besides a small quantity of peas; beans, butter, tallow, etc., the following substantial stores were procured:

Nineteen casks of salted pork, each weighing two hundred pounds, English.

Forty-two casks of salted beef, each of the same weight.

One thousand nine hundred and fifty-five gallons of molasses.

Two thousand nine hundred and eighty-three pounds of powdered sugar.

Three hundred and fifteen pounds of loaf sugar.

Four thousand three hundred and forty-three pounds of rice.

Seven thousand three hundred and ninety-two pounds of biscuit.

Eleven casks of fine wheat flour, each of one hundred and seventy pounds weight."

Despite this large amount of supplies, however, the Russian colonists were before long again in hard straits. To remedy the situation, Rezánof resolved to send the *Juno* to California, there to bargain for grain and other provisions with the Spanish officials. But in this decision there was something more involved than the desire to obtain necessary foodstuffs. The Chamberlain's surgeon frankly wrote,

"The most northerly of the Spanish possessions in this part of the globe, St. Francisco, on the coast of New Albion, was the place fixed upon for this visit. The Sandwich Islands might perhaps have been preferred for the purpose in an economical point of view; but political reasons led to the choice of St. Francisco."

After a trying voyage, accompanied by much sickness, the *Juno* sailed through the Golden Gate on April 5, and anchored beyond the range of the guns of the presidio. After prolonged negotiations with the governor, Arrillaga, Rezánof found that the prospects of exchanging the cargo of the *Juno* for the desired supplies were very slight. Then followed the courtship of Doña Concepción, daughter of the influential commandant, José Argüello, and Rezánof's formal bethrothal to the California belle.

The details of this romance have been told by the historian of the Spanish period, and need not be repeated here. It is sufficient to say that having been accepted by Concepción and acknowledged a member of the family by the Argüellos,

Rezánof had no further difficulty in effecting the sale of his cargo and purchasing all the food stuffs he required. Sometime after the middle of May the *Juno* left San Francisco, and thirty days later reached Sitka.

This voyage more than ever impressed upon the Russian officials the advantages of California and the necessity of developing a regular trade between the Alaskan settlements and those of the Spanish province. Rezánof's aide saw but one way of realizing this desire.

"If Russia would engage in an advantageous commerce with these parts, and procure from them provisions for the supply of her northern settlements, the only means of doing it is by planting a colony of her own," wrote Langsdorff. "In a country which is blessed with so mild a climate as California, where there is such plenty of wood and water, with so many other means for the support of life, and several excellent harbours, persons of enterprising spirits might, in a few years, establish a very flourishing colony. With the assistance of the able mechanics who are to be found at Sitcha, wind and water mills might soon be constructed, looms established, and manufactories for burning brandy. Large and small vessels, and granaries for corn, would then be built; vast herds of cattle would be raised, and sea-otters in abundance taken; thus, in time, Kamschatka and Eastern Asia would be amply supplied from hence with all kinds of vegetable and animal productions for the support of life. The Russio-American Company have already sufficient sources of wealth in their present possessions from the extensive fur-trade they yield, nor has any occasion been omitted to aim at increasing it by foreign dealings. Their settlements only want a better administration to rise with fresh vigour from their ruins; but to effect this, their strength must be concentrated, and they must abandon the mistaken policy of extending them to such a degree as to weaken every part."

To establish this Russian colony in California became Rezánof's ambition. From an economic standpoint it would not only serve as a basis for sea otter expeditions as far south as Lower California, but would also furnish the Russian settlements of Alaska and even of Kamchatka with food. As a political factor, in conjunction with another

settlement to be established at the mouth of the Columbia, the California colony was even more important. In this connection Rezánof's own words are illuminating.

"If we can only obtain the means for the beginning of this plan, I think I may say that at the Columbia we could attract a population from various parts, and in the course of ten years we should become strong enough to make use of any favorable turn in European politics to include the coast of California in the Russian possessions. . . . The Spaniards are very weak in these countries, and if in 1798 when war was declared by Spain our company had had a force corresponding to its proportions, it would have been very easy to seize a piece of California from 34° to Santa Barbara . . . and to appropriate this territory forever since the geographical position of Mexico would have prevented her from sending any assistance overland."

In pursuance of the plan to plant Russian settlements on the Columbia and in California, two vessels were sent down to the south from Sitka in 1808. The one bound for the Columbia was wrecked, so that the Oregon enterprise came to nothing. The other vessel, commanded by an official named Kuskof, reached Bodega Bay, some thirty miles north of San Francisco, January 8, 1809. Here Kuskof remained nearly eight months, trading with the natives, taking sea otter skins, and above all, examining the possibilities of the region as a site for the prospective Russian colony. Upon Kuskof's return to Alaska in October, plans were definitely laid for actually establishing the long talked of settlement.

In 1811, after an unsuccessful attempt to return to California the preceding year, Kuskof again anchored in Bodega Bay. The hunters who accompanied him on the expedition succeeded in taking over 1,200 otter skins, most of which were poached in the forbidden waters of San Francisco Harbor. Probably on the same expedition the Russian commander secured title from the Indians to a considerable stretch of territory around the bay. Tradition fixes the purchase price at "three blankets, two axes, three hoes, and a miscellaneous assortment of beads."

Either in the latter part of 1811, or early the next year,

Kuskof once more returned to Bodega, this time with the necessary colonists and equipment to build a permanent establishment. The site chosen was about eighteen miles above Bodega, on a bluff overlooking the ocean. Here a fort was erected, which, after formal dedication on September 10, 1812, was appropriately named Fort Ross.

The original inhabitants of the new settlement consisted of nearly a hundred Russians and some eighty Aleuts. Life for a time went hard with them, owing to the lack of food and the difficulty experienced in opening up the desired trade with the Californians. When this latter object was accomplished, however, conditions became much more agreeable, and before many years the Ross colonists were themselves raising sufficient grain, vegetables, and cattle to relieve in some measure the chronic need of the Alaskan settlements. The following description, written at a much later date, gives an interesting picture of the colony after its period of hardship was past:

"The Presidia Ross lies in 38 deg. 40 min. north latitude, immediately on the ocean, on a hill sloping gradually towards the sea. The rear is crowned by a range of hills 1,500 feet in height, covered with pines, firs, cedar, and laurel, rendering the position of the fort highly picturesque. The fort is an enclosure 100 yards square, picketed with timber 8 inches thick by 18 feet high; mounts four 12-pound carronades on each angle, and four 6-pound brass howitzers fronting the principal gate; has two octangular blockhouses, with loopholes for musketry, and 8 buildings within the enclosure, and 48 outside, beside a large boathouse at the landing place, blacksmith's shop, carpenter's and cooper's shop, and a large stable for 200 cows, the number usually milked."

It does not lie within the scope of this particular volume to discuss at length the relations of the Russian colonists with their neighbors to the south. It is enough to say that aside from official protest against the presence of the foreigners in Spanish territory, almost no friction developed between the two peoples. The trade gradually built up by the Ross settlers with the Californians was mutually advantageous; and in California itself, no matter what

attitude the Spanish crown maintained, there was little inclination, and certainly no adequate means, to bring this commerce to an end.

From the standpoint of far sighted American statesmen, however, the Russian colony in California was a menace of serious import. On November 11, 1818, J. B. Prevost, a special commissioner appointed by the United States government to receive the re-surrender of Astoria from the British, wrote thus from "Monte Rey, New California," to the Department of State:

"The speculations of Humboldt, and his glowing description of the soil and climate of this province, have probably given a new direction to the ambition of Russia, and determined its Emperor to the acquisition of empire in America. Until 1816, the settlements of this Power did not reach to the southward of 55°, and were of no consideration, although dignified by them with the title of Russian America.

In the commencement of that year two distinct establishments were made, of a different and of a more imposing character. The first at Atooi, one of the Sandwich islands; the other in this vicinity, within a few leagues of St. Francisco, the most northerly possession of Spain, in 37° 56′. The sketch I subjoin was procured from a member of the Government at this place, from whom I also learned that its augmentation has since become so considerable as to excite serious alarm. Two Russian ships left this port on their way thither a few days anterior to our arrival—one having on board mechanics of every description, together with implements of husbandry. We passed sufficiently near the spot assigned to it to distinguish the coast with some precision, and ascertained that it was an open road—a circumstance that renders the position liable to many objections, if intended to be permanent; in other respects, the choice is judicious for an infant colony. It enjoys a climate still milder than that of Columbia; is environed by a beautiful country; and its proximity to an old settlement enables the Russians to partake of the numerous herds of black cattle and horses that have been there multiplying for the last fifty years. The port of St. Francis is one of the most convenient, extensive, and safe in the world, wholly without defence, and in the neighborhood of a feeble, diffused, and disaffected population. Under all these circumstances, may we not infer views as to the early

possession of this harbor, and ultimately to the sovereignty of all California? Surely the growth of a race on these shores, scarcely emerged from the savage state, guided by a chief who seeks not to emancipate, but to enthral, is an event to be deprecated—an event, the mere apprehension of which ought to excite the jealousies of the United States, so far at least as to induce the cautionary measure of preserving a station which may serve as a barrier to a northern aggrandizement."

In the following year a rumor arose that Spain had ceded to Russia a strip of territory on the Pacific Coast 800 miles long, in return for assistance furnished to the expeditions against the revolutionists of Lima and Buenos Aires. In the St. Louis *Enquirer* an unknown writer (perhaps Senator Benton) issued a warning against the "Progress of the Russian Empire" well calculated to arouse the apprehension of those to whom Russia, as a member of the Holy Alliance and a rival in the northwest trade, was already an object of sufficient distrust.

"Looking to the east for everything," said the article, "Americans have failed to notice the advance of the Russians on the Pacific Coast until they have succeeded in pushing their settlements as far south as Bodega. Their policy is merely the extension of the policy of Peter the Great and Catherine. Alexander is occupied with a scheme worthy of his vast ambition. . . . the acquisition of the gulf and peninsula of California and the Spanish claim to North America. . . . We learn this not from diplomatic correspondence, but from American fur traders who learn it from the Russian traders now protected by the Emperor in carrying off our furs!"

Such warnings as those sounded by Prevost and the St. Louis *Enquirer* were soon echoed in the halls of Congress. On January 25, 1821, the Committee on the Occupation of the Columbia River rendered its report to the House of Representatives. In this report, Floyd, the chairman of the committee, issued the following warning against the Russian peril.

"Russia, whose dominions on the Asiatic coast occupy nearly the same position upon that side which ours do on this, has long

been well informed of the great and increasing value of that commerce; and whilst she has been nowhere visible, not even to the powers of Europe, only as she has of late taken part in a few memorable enterprises, she has been felt everywhere. No labor, care, or expense is avoided, to make tributary the four quarters of the globe; forts, magazines, towns, cities, and trade seem to rise on that coast as if by magic; with an army of a million of men, she sits not only in proud security as it regards Europe, and menaces the Turk, the Persian, the Japanese, and Chinese, but even the King of Spain's dominions in North America are equally easy of access, and equally exposed to her fearful weight of power. Her watchfulness is ever in advance in discerning the most practicable avenues of profitable commerce. In the midst of all her busy arrangements, she has not neglected the opportunity of possessing herself of two important stations of the American shore of the Pacific—the one at a place called New Archangel, in about 59° of north latitude; the other at Bodiga bay, in latitude 38° 34′. At the former of these military positions, for the protection of her commerce, it is presumed, she has incurred much expense, and built a fort of great strength, situated upon one of the best harbors on the coast, standing upon a point of land projecting into the little bay, giving something the appearance of a conical island in the centre of it; this fort is well supplied at all times with provisions and military stores, mounting a hundred and twenty cannon, carrying balls from eighteen to twenty-four pounds weight. That at Bodiga is well constructed and supplied with cannon, and has a good harbor; at this point they have ammunition and merchandise in abundance, and find the Indian trade at this post as well as at New Archangel very considerable. Besides the fine condition of this fort and its defences, they have many field-pieces, some of brass of the finest construction, in good order, and well mounted. All these supplies have been conveyed to those places through immense oceans, round Cape Horn, which would have appalled any but Russian policy and perseverance. The light articles destined for this trade are transported from St. Petersburg in sledges, which will perform in three months that which would require two summers of water conveyance to effect; their communications are open to Kamtschatka, to Fort St. Peter and St. Paul, by Ohotsk, in the Pacific, where they have the finest harbor in the world; the distance is estimated at ten thousand miles. The nation which can encounter such journeys as these, often through



seas of ice and storms of snow so terrible as to obscure an object beyond the distance of a few paces, to prosecute any branch of commerce, must be well and fully informed of its value. That the objects she has in view may not by any event be taken from her grasp, after encountering such vast difficulties, she has found it expedient to occupy one of the Sandwich islands, which not only enables her effectively to maintain her positions, but to command the whole northern part of the Pacific ocean. These islands, lying just within the tropics, in the direct course from the lower coast of North America to Canton, are well supplied not only with all the fruits of that climate, but with every vegetable and animal known in this country."

Fed by such warnings the opposition to any further extension of Russian power along the Pacific Coast gained increasing strength in the United States. When, therefore, the Czar's famous *ukase* of 1822 sought to close the North Pacific to foreign vessels and establish the undisputed supremacy of Russia to the northwest coast, it was looked upon as merely another step in his plan of occupying the Oregon territory and California.

One of the three cardinal elements of the Monroe Doctrine, first given definite expression in Monroe's message of December, 1823, was designed very clearly to prevent this Russian advance. The average American thinks of the Doctrine only in its relation to Hispanic America. But Monroe was not considering alone the welfare of the recently liberated Spanish colonies when he penned his famous message; he was also thinking of the shadow of the great Russian Empire flung over Alaska and threatening the whole Pacific Coast. The challenge of Fort Ross, with its cannon, its high palisades, its farms, and herds of cattle—all tangible evidences of a permanent plan of colonization—was met by Monroe with the explicit announcement that the American continents were no longer "subjects for future colonization by any European power."

The attitude of the United States brought a definite end to whatever program the Russian government had of acquiring California. Three other factors besides Monroe's

opposition also led to the Czar's loss of interest in the California project. The decline of the fur trade along the coast destroyed the primary source of the colony's revenue. Because Russia and Spain were allies in Europe, the chance for the former to take over California did not readily present itself. Of more importance still, the shifting fortunes of Russia in European politics and her ancient ambition to rule over Constantinople destroyed all effective desire for expansion in North America.

In 1824, accordingly, the Russian government agreed to limit all future settlements to the territory north of the parallel of 54° 40'. For nearly two decades more, however, the colony at Ross retained its Russian character and remained independent of Mexican control. In 1836, when a revolt of the Californians promised for a time to transform the province into an independent republic, a vague rumor was set afloat that the new government planned to seek the Czar's protection. Such a policy, had there been any truth behind it, would have meant a dangerous revival of Russian influence on the coast and a serious check to American expansion. There was, however, no shadow of justification for the report.

In point of fact, the Russian colonists held themselves aloof from all the affairs of the Californians except that of commerce. Chance foreigners who visited Ross found the inhabitants living a quiet, industrious, routine life, concerned with matters of trade and agriculture and not at all with politics. The following description, written by one such visitor shortly before the colony came to an end, gives a fair picture of the normal conditions at Fort Ross:

"This establishment of the Russians' seems now to be kept up principally as a "point d'appui;" and hereafter it may be urged in furtherance of the claims of the "Imperial Autocrat" to this country, having now been in possession of Ross and Bodega for 24 years, without molestation. Two ships annually come down for wheat from Sitka. Their cargoes are purchased in California, likewise tallow and jerked beef, for bills on the Russian American Fur Company, St. Petersburg. These bills fall into the hands of

the American traders from Boston and the Sandwich islands, who receive these bills from the Californians as money in payment of goods. Ross contains about 400 souls; 60 of whom are Russians and "Fins," 80 "Kodiacks," the remainder Indians of the neighborhood, who work well with the plough and sickle. All the Russians and Finlanders are artisans. Wages $35 to $40 per annum. They export butter and cheese to Sitka. But few skins (seal) are now taken; no sea otters. This year the farm is much increased; 240 fanegas, equal to 600 bushels of wheat, are sown. It generally yields 12 bushels for one. Stock—1,500 head of neat cattle, 800 horses and mules, 400 to 500 sheep, and 300 hogs."

By 1840 the expense of maintaining the California colony had become a drain upon the Russian-American Fur Company too serious to be continued longer. And as the political aspect of the enterprise had long since ceased to be of any moment, the company was anxious to dispose of its holdings and withdraw entirely from the field. The following year a purchaser, both for the colony's moveable property and its shadowy land claims, was found in the person of John A. Sutter. With the completion of the bargain, the settlers returned to Alaska.

In this undramatic fashion, the threatened Russian control of California came to an end. It is a mistake, however, to minimize the significance of the Bodega enterprise, or to overlook the potential menace it presented at one time to the future development of the United States. If the *dreams* of Baránof and Rezánof had been realized, how tremendously changed the world's history might have been!

The material relating to the *founding* of the Russian colony in California has come largely from:

Langsdorff, George Heinrich von, *Voyages and travels in various parts of the world during the years 1803, 1804, 1805, 1806* (Carlisle, Pennsylvania. 1817. Or. ed. London. 1813).

CHAPTER IV

THE WHALERS AND HIDE TRADERS

WITH the decline of the fur trade, through whose influence the Russians and Americans had first been brought to California, the inhabitants of the province were compelled to rely upon other forms of foreign commerce to supply them with manufactured articles and to furnish some sort of market for their own agricultural products. Even before the fur traders ceased to appear along the coast, chance whaling ships occasionally put into a California harbor for water and fresh provisions, and gradually a mutually satisfactory trade was built up between these vessels and the Californians. Though never of very large proportions, this form of early California commerce merits a brief description.

Edmund Burke, in one of his noblest passages, speaks of the hardy New England whalers who, even before the American Revolution, had outstripped the sailors of older nations and pressed beyond the limits of the known whaling grounds to "vex strange seas" with their industry. The war which Burke so earnestly deplored, temporarily stopped the activities of these adventurous New Englanders; but soon after its close, the ships of Nantucket, New Bedford, and Salem began to put to sea again in quest of their gigantic prey. Down the coast of South America they crept, rounded the Horn, and finally came to the great off-shore feeding ground of the Pacific. A few years of rich profits here, and the search was extended to the North Pacific. In this way the waters of Alaska, Bering Sea, and the coasts of Japan became familiar to the New England vessels before the first quarter of the century was over.

As the whaling grounds extended farther and farther from the home ports, it commonly required three years or

more to complete a successful cruise. This long absence from a base of supplies, together with the hard and dangerous nature of the work, made it necessary that ports should be found in the Pacific where repairs could be made, fresh water, wood, and food procured, and the men allowed some period of rest and recuperation on shore. The need for these things was especially great after the vessels had completed their cargoes and were ready for the long homeward voyage around the Horn. Both because of their geographical location and the ease with which provisions could be obtained from the surrounding country, the ports of the Hawaiian Islands and of California met all the requirements of the whaling ships and became their favorite places of resort.

In obtaining supplies from the Californians the whalers resorted to a system of barter similar to that employed by the fur traders. Each vessel had on board a small cargo of New England manufactured products which was exchanged for fresh meat, vegetables, and other provisions necessary for the welfare of the scurvy stricken crew. In these transactions evasion of duties on a petty scale was probably common enough; but the whaling vessels were interested in the trade only as a means of procuring food and so had no great incentive for organized smuggling.

Among California ports, Monterey and San Francisco were commonly selected by the whaling ships, battered and often in a sorry plight from months of cruising in the rough waters of the North Pacific, for refitting and reprovisioning. Because San Francisco was more commodious and farther removed from meddlesome officials, it was more favored than Monterey, Later, as the industry grew to larger and larger proportions, it was not unusual for as many as thirty or forty vessels to lie at anchor at one time in the sheltering coves and estuaries behind the Golden Gate.

Measured by dollars and cents, however, the trade carried on by the whaling fleet with California was never of very great importance. Its real significance, like that of the fur trade, lay in the stimulus it gave to American interest

in the harbors of the Pacific, and the knowledge of California's resources it brought back to the United States.

In addition to the coastal fur trade and the intercourse with homeward bound whaling vessels, the Californians had one other form of commercial contact with the outside world. This was the hide and tallow trade.

For the origin of cattle raising in California, one must look to the distant plains of Mexico and to the Spanish missionaries and explorers of the eighteenth century. With few exceptions the early overland expeditions from Mexico to California, such as those undertaken by Rivera, Anza, Garcés, and Fages, brought with them a considerable number of cattle. The animals which escaped slaughter and the perils of the journey served as breeding stock after the expedition reached its destination, and thus became the starting point for the great herds of a later day.

The natural conditions of California were so thoroughly congenial to cattle raising that the development of the industry was almost unbelievably rapid. Before the close of the century, the hills and valleys from San Diego northward to the farthest point of Spanish occupation were covered with the offspring of the few hundred animals driven overland from Mexico by the early colonizing expeditions.

The Californian, like his ancestors in Mexico, was a cattle raiser by inheritance and temperament. In the business, as he knew it, there was little of responsibility or of disagreeable labor. Whatever work the round-up and slaughter required had in it a certain spice of danger and an element of sport that appealed to the Californian's native instinct for excitement and his love of the out-of-doors. Except in seasons of drought, the rains came, the grass grew, and the cattle, running wild on the range, multiplied and took care of themselves. Only in dry years was there any danger of serious loss. At such times, however, the herds might suffer severely. In 1829, for instance, it is said that 40,000 cattle died on the southern ranges and that the Mission of Santa Barbara alone lost 12,000 animals during the same disastrous season.

Because of the natural aptitude of the Californian for the business, and the suitable natural conditions which prevailed, cattle raising became almost the sole industry of the province, and virtually its only source of wealth. From the sale of hides and tallow to the foreigner, after the close of the fur trade, the Californians obtained almost everything they made use of in the way of clothing and manufactured articles. Similarly, government officials, whether civil or military, derived almost all public funds for salaries and other necessary ends from the revenues received directly or indirectly from the trade.

The influence of the business was clearly marked in other fields as well.

"The breeding of cattle being the chief occupation of the Californians," writes a careful student of those early days, "determined their mode of life, the structure of their society, and the size of their ranches. Nobody wanted to own less than a league square (four thousand four hundred and thirty-eight acres) of land, and the government granted it away without charge, in tracts varying from one to eleven leagues, to anybody who would undertake to erect a house and put a hundred head of cattle on the place."

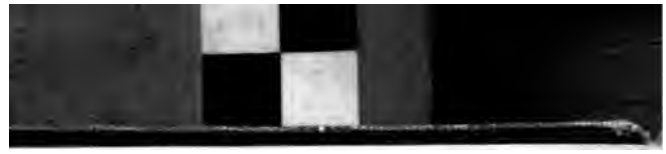
The California cattle ("black cattle" as they were commonly called) were of the typical range, or Mexican variety. Their legs were long and thin, their bodies small and their horns sharp and surprisingly wide-spread. Both in appearance and disposition they were more like the wild deer which herded with them, than the domestic animals of our Atlantic or Middle Western states.

No attempt at scientific breeding was thought of during the Mexican régime, nor would this have been profitable if put into effect. From year's end to year's end, the cattle ran wild, never knowing the inside of a stable or a fattening pen, but living entirely upon the grass and herbage of the limitless ranges before them. Their flesh was tough, but full of nourishment and flavor. Dried or fresh, it constituted the chief article of diet among the people of the province, and was supposed by many to account for the remarkable longevity of the Californians.

The cows matured early, sometimes calving at the age of fourteen months, and gave but little milk. As this was almost never used for domestic purposes by the Californians, foreigners who visited the province frequently commented unfavorably upon the absence of cream, butter and cheese from their hosts' tables. But, after all, the Californian was a true cattleman in this respect, since even today many of the large ranges of the west use condensed milk in place of fresh, and regard butter as a needless luxury!

As there were no fences in the country, cattle belonging to one owner frequently joined the herds of another. Consequently, both law and custom required that every man's stock should be marked with an officially recorded brand—then as now the sign of ownership wherever cattle run at large. Twice a year, in the spring and fall, great rodeos, or round-ups, were held to apportion out the intermingled herds among the proper owners, and to mark the unbranded calves. These were occasions of some formality and of great bustle and stir in the placid routine of California life. An official, known as the *Juez de Campo*, or Judge of the Plain, presided over the proceedings. The cattle were brought together in some central place and the sorting or "cutting out" process began. To keep the thousands of frightened, bewildered, and maddened creatures from stampeding, cow-boys, or *vaqueros* rode continually about the herd, seeking to hold it together. Whenever an animal broke from the mass, a rider immediately roped him; or, seizing him by the tail, with a peculiar twist requiring both strength and dexterity, threw him heavily to the ground.

Meanwhile, each owner and his *vaqueros* rode in and out among the cattle, separating such animals as he found marked with his own brand from the main herd. The question of ownership was seldom a difficult matter, because of the brands, and even the unbranded calves followed the cows to which they belonged. As an owner's cattle were cut out from the general herd, they were driven a little distance away to a place previously chosen and kept by themselves until the *rodeo* was ended. Here the rancher branded



his calves and determined the number of animals he could profitably slaughter during the coming season.

A round-up of this kind was one of the most picturesque events of early California life. The vast herd of cattle, sometimes half a mile from center to circumference, the thick clouds of dust that rose from thousands of moving feet, the sudden dash after some escaping steer, the surprising feats of horsemanship, which were performed continually by the *vaqueros*, the bellowing of frightened and maddened bulls, the clash of horns striking horns, the wild shouts and laughter of the cowboys all lent an air of excitement and interest that the printed page can not reproduce.

The slaughtering of the cattle was done apart from the round-up. Generally the males of three years old and upward alone were killed; and only a small portion of the meat from each animal was saved. The rest went to feed the half-tamed dogs of the ranches, the vultures, and the innumerable coyotes and other wild animals with which the country abounded. The only marketable portions of the cattle were the hides and tallow. The best of the latter was used by the native women for cooking, and in the making of soap and candles. The rest was melted in large pots, generally obtained from the whaling ships, and run into rawhide bags, capable of holding nearly half a ton apiece. It was then sold at so much an arroba, a standard Mexican weight equal to about twenty-five pounds. Harrison G. Rogers, clerk in Jedediah Smith's expedition,[1] was much impressed with the soap works at San Gabriel Mission as he saw them in 1827. He thus described them:

"The soap factory consists of four large cisterns, or boilers, that will hold from 2000 to 2500 gallons each; the cistern is built in the shape of an sugar loaf made of brick, stone and lime; there is a large iron pott, or kittle, fixed in the bottom where the fire strikes to set them boiling, the mouth of the cisterns and the edge of the potts are lined around with sheat iron 8 or 10 inches wide; the potts or kittles, will hold from 200 to 250 gallons each, and a great many small ones fixed in like manner."

[1] See Chapter V.



The hides were cured (after a fashion) by pegging them out in the sun. A number of holes were cut in each skin through which stakes were driven to keep the hide from curling. As no great care was taken in the process of skinning, particles of flesh generally adhered to the hides, which even the California sun could not then make odorless. After this curing process, most of the hides were stored until disposed of to a foreign vessel. A few, however, were kept for local use. Some leather was tanned by the missions and an occasional rancher; but for the most part the skins, after having been made into rawhide, found a wide variety of uses without further treatment. This rawhide, indeed, was as indispensable to the Californian of the early days as baling wire became to the rancher of later years.

With the exception of the small amount of tallow and the comparatively few hides required to fill the domestic needs of the Californians, the products of the industry were all sold to the trading vessels along the coast. Before 1822, while the restrictive commercial laws of Spain remained in force, this trade was of insignificant proportions. A few bags of tallow were shipped to San Blas on government supply ships before 1813; and from 1813 to 1822 a number of vessels from South American ports, commonly called the Lima ships, took back some tallow, a few hides, and a small amount of California soap.

The trade in any real sense did not begin, however, until the date of Mexico's independence from Spain. In that year the Boston firm of Bryant and Sturgis established William H. Gale, a former sea otter hunter, as permanent agent in California, and began the systematic collection of hides for the New England market. About the same time, John Begg & Company, an English house, sent out Hugh McCulloch and William Hartnell, both of whom afterwards became prominent in California affairs, to undertake the same business. Before the next year was over, nine vessels, flying various flags, were disputing the field with these two pioneers firms, and the trade had taken on certain clearly marked characteristics and a well-defined routine that lasted for nearly a quarter of a century.

From 1822 to 1834, most of the hides were supplied by the missions, several of which counted their cattle by the tens of thousands. All told, these mission herds numbered nearly half a million animals in 1834; but when secularization took place the privately owned ranches, of which there were 92 from San Diego to San Luis Obispo in 1842, became the chief sources of supply, though some of the missions even after secularization continued to furnish a very considerable number of hides each year.

The American vessels engaged in the hide and tallow trade came almost wholly from New England, and were commonly known as the "Boston ships" on the California coast. The voyage from New England to California by way of Cape Horn required from four to six months and was full of hardships and danger—a fact more clearly appreciated when one remembers that the vessels averaged less than 500 tons burden.

Once on the California coast, a trading vessel put first into the port of Monterey, a pleasantly situated town of white-plastered, red-tiled, adobe houses, shut in by green pine forests, and blessed with one of the few safe harbors of the California coast. Here stood the only customshouse the province could boast, where every trading vessel was compelled to enter its cargo. The city also served, during most of the Mexican period, as the seat of civil and military life, and as the social center of the province.

The duties levied upon foreign goods were nominally high, a single vessel ordinarily paying from $5,000 to $25,000 on its cargo. As a matter of fact, however, such charges were not particularly burdensome to the foreign merchant, whatever may have been their effect upon the Californian. Once a vessel had entered its cargo at Monterey, it was free to trade along the whole California coast until its cargo was exhausted. This usually required from a year and a half to three years; and in the meantime the ship's goods might be replenished clandestinely from the cargoes of other vessels which had received no trading license. Evasion of tariff charges in the fashion just described was supplemented

by bribery of customhouse officials or through outright smuggling; and even where duties were actually paid, such costs were shifted for the most part from the New England merchant to the Californian in the form of higher prices.

The revenue derived from this trade constituted almost the sole support of the civil and military branches of the government. At least twice, namely in 1841 and again in 1845, when there were upwards of fifty vessels on the coast, the revenue so derived amounted to more than $100,000.[2] Normally, however, the receipts averaged less than $75,000. The vessels of many nations were represented, but more than half the number were of American register. A good many flew the Mexican flag, and others came from England, France, Germany, and the Sandwich Islands.

Under such competition, two or three years were required for a vessel to obtain the 20,000 to 40,000 hides necessary to complete its cargo. These were gathered in various ports, chief of which were San Diego, San Juan Capistrano, San Pedro, Santa Barbara, San Luis Obispo, and Monterey. With the exception of Monterey, these so-called ports afforded but poor protection during the winter months against sudden southeasters; and vessels taking on a cargo of hides were often forced to slip anchor and escape to the open sea to prevent being driven high and dry upon the beach.

The supercargo, or shipowner's agent, arranged with the missions and ranches for the purchase and delivery of the hides to the nearest seaport. Traveling overland on horseback in advance of the ship, he passed from mission to mission and from ranch to ranch, a welcome guest as well as a commercial agent. The hides were transported to the sea coast on pack-mules and in clumsy native carts with solid wooden wheels, drawn by two oxen. Beside each animal walked an Indian driver, carrying a long pointed stick with which to punch the slow-moving beast as the spirit moved him.

Once arrived at the sea, the driver's work was over. The hides were dumped unceremoniously on the ground and the

[2] In 1845 it came to $140,000.

Indian squatted beside ox-cart or pack-mule until the sailors made ready his return load of goods. As for the hides, these were carried by the ship's crew on their heads, through surf and over stones, slippery with sea moss, to the long boat which served as a means of communication between the vessel and the shore. The work was arduous and severe; but as there were no docks or wharves along the coast, no other method of loading could be devised. In the eyes of the sailors, San Pedro, with its steep landing, sticky clay soil, and long stretch of kelp-covered rocks over which the hides had to be carried, was probably the worst of California ports; yet more hides were taken on here than at any other landing.

In exchange for his hides, the Californian obtained goods of foreign manufacture at a profit to the shipowner of some 300%. To accommodate the buyers, each ship trading along the coast was transformed into a sort of general store. Richard Henry Dana in his *Two Years Before the Mast* (a book which combines one of the best sea stories ever written with a true picture of early California life), thus describes the methods followed:

"The trade-room [of the vessel] was fitted up in the steerage, and furnished out with the lighter goods and with specimens of the rest of the cargo . . . . For a week or ten days, all was life on board. The people came off to look and buy—men, women and children; and we were continually going in the boats, carrying goods and passengers,—for they have no boats of their own. Everything must dress itself and come aboard and see the new vessel, if it were only to buy a paper of pins. The agent or his clerk managed the sales, while we were busy in the hold or in the boats.

Our cargo was an assorted one; that is, it consisted of everything under the sun. We had spirits of all kinds (sold by the cask), teas, coffees, sugars, spices, raisins, molasses, hard-ware, crockery-ware, tin-ware, cutlery, clothing of all kinds, boots and shoes from Lynn, calicoes and cotton from Lowell, crapes, silks; also, shawls, scarfs, necklaces, jewelry and combs, for the ladies; and in fact, everything that can be imagined, from Chinese fire-works to English cart-wheels—of which we had a dozen pair with their iron rims on."

The purchases made by the Californians were paid for either in silver or in hides, which were commonly known as "California bank-notes" along the coast, and generally averaged $1.50 or $2.00 in value. It was also the usual practice for ships regularly engaged in the trade to extend credit to many of their customers from one season to the next, receiving in return the promise of sufficient hides at the end of the year to cover the cost of the goods, together with exceedingly high interest charges. Rarely, if ever, did a Californian fail to repay these debts, for his code of honor did not permit of business dishonesty.

Having completed a voyage along the coast, a hide ship landed the skins at San Diego. Here they were soaked in brine, scraped, dried, beaten with flails to rid them of dust and finally stored in large warehouses to await shipment around the Horn.

The New Englander, as well as the Californian, derived very considerable advantage from the hide and tallow trade. It not only furnished much of the leather which gave Connecticut and Massachusetts a monopoly of the early boot and shoe industry in the United States; but also provided a channel through which the surplus products of New England factories might find a steady, if somewhat restricted, outlet in foreign trade.

Yet though the trade was important both to California and to New England from an economic standpoint, its enduring significance lay rather in another quarter. From it, as from the coastal fur trade and the whale fisheries, but even in a more direct way, the maritime interests of New England learned of the resources and commercial possibilities of California and became interested in her ultimate destiny. Through the hide and tallow trade, more than through any other agency, New England began her expansion to the Pacific Coast.

CHAPTER V

JEDEDIAH SMITH, "PATHFINDER OF THE SIERRAS"

THE exploration and settlement of the trans-Alleghany west is the great epic of American history; the opening of the approaches to California is the culmination of that epic. For the American advance to California possessed a dual character. While New England ship masters were establishing commercial relations along the coast, western fur traders were opening overland lines of communication between the Mississippi and the Pacific, and thus preparing the way for an overwhelming tide of immigration from the frontier states into the Mexican province.

The first American to reach California by overland route was Jedediah Strong Smith, a fur trader of very considerable education and of pronounced religious life. Smith was born in 1798 in the Mohawk Valley of New York, where his parents, pioneers of no mean type themselves, had moved from New Hampshire a few years before. As a boy Smith came in touch with the fur traders of Canada and the northwest through a position as clerk on one of the freight boats of the Great Lakes. Not many years later, when about twenty years of age, he went to St. Louis, then the very center of western activities, and began his career as a fur trader and explorer.

Smith's first expeditions, in company with such men as David E. Jackson, William Ashley, Andrew Henry, and Thomas Fitzpatrick, carried him through the regions drained by the central Missouri and the Yellowstone, and even as far west as the Columbia and the Great Salt Lake. This, however, was but the apprenticeship of his career. His real work as a pathfinder began in the summer of 1826 when, at the head of a party of fifteen men, he set out to

explore the unknown region lying between the Great Salt Lake and the California coast.

From the geographic standpoint, the exploration of this portion of the trans-Rocky Mountain west was of the utmost importance. For American knowledge of the country was still almost as hazy and indefinite as it had been a hundred years before. Early in the century Lewis and Clark had opened a transcontinental route to the Pacific by way of the Missouri and the Columbia, and had thus prepared the way for further exploration of the northwest by the fur traders. Pike's expedition had served a similar purpose for the southwest, and already the Santa Fé trade had begun to link the Mexican settlements along the upper Rio Grande with those of the Americans in Missouri. But the region known as the Great Basin, from the Snake River to the Colorado, and from the Rocky Mountains to the Sierras, as well as the great inland valleys of the Sacramento and the San Joaquin, lay unexplored by American adventurers and unknown to American geographers. It was the task of Smith and his fifteen men to do for this region what Lewis and Clark had done for the northwest, and what Pike had accomplished in Colorado and New Mexico a few years before.

As already explained, Smith was a fur trader. His associates in the business were men who represented all that was best in the profession. Their real business, in fact, was not so much the taking of furs as the extension of American influence throughout the wilderness. They were the empire builders of the west. Foremost among them was William Henry Ashley, explorer extraordinary and recognized leader of the fur hunters in the Rocky Mountains. Two others of equal ability and scarcely less reputation were David E. Jackson and William L. Sublette.

The two last mentioned trappers had rendezvoused at the Great Salt Lake in the summer of 1826. Here they were joined by Ashley and Smith, coming from St. Louis with a supply of goods for the Indian trade. At this rendezvous

Ashley disposed of his share of the business to his three partners and it was under the direction of this newly organized firm of Sublette, Jackson, and Smith that the expedition to California was undertaken.

The primary purpose of the undertaking was the discovery of a new field for the exploitation of furs; but as Smith and his associates were not men of narrow interests, the expedition was something more than a commercial enterprise. Incidentally, the leader probably hoped to establish a dêpot on the California coast for the shipment of furs to China, thus carrying out the plan John Jacob Astor had tried unsuccessfully at the mouth of the Columbia some fourteen years before.

Smith's company left the Salt Lake rendezvous August 22, 1826. Taking a southwest course to Utah Lake, or Little Uta, as the trappers named it, the expedition followed up the Sevier River and later crossed a range of mountains to a river which Smith called the Adams "in compliment to our President." [1] Keeping down this stream for twelve days, the party arrived at the Colorado, or Seedskeeder, to give it the Indian name for the Green River, which Smith employed.

"I crossed the Seedskeeder," wrote Smith in describing his route, "and went down it four days a southeast [west?] course; I here found the country remarkably barren, rocky and mountainous; there are a good many rapids in the river, but at this place a valley opens out about five to fifteen miles in width, which on the river banks is timbered and fertile.

I found here a nation of Indians who call themselves Ammuchabas [Mojaves]; they cultivate the soil, and raise corn, beans, pumpkins, watermelons and musk-melons in abundance, and also a little wheat and cotton. I was now nearly destitute of horses, and had learned what it was to do without food; I therefore remained here fifteen days and recruited my men, and I was enabled also to exchange my horses and purchase a few more of a few runaway Indians who stole some horses of the Spaniards."

[1] On the next expedition the same river seems to have been renamed the Virgin after one of Smith's men.

From these Indians Smith also secured two guides, and began the last stage of his journey to California. Of his trip across the desert, he wrote:

"I travelled a west course fifteen days over a country of complete barrens, generally travelling from morning until night without water. I crossed a Salt plain about twenty miles long and eight wide; on the surface was a crust of beautiful white salt, quite thin. Under this surface there is a layer of salt from a half to one and a half inches in depth; between this and the upper layer there is about four inches of yellowish sand."

The exact course followed by Smith on this stage of his journey is not clear. Probably it did not materially differ from the route now taken by the Santa Fé Railroad, but this can not be determined with certainty. He at length crossed the Sierra Madre range through the Cajon Pass and reached the fertile plains of California in the vicinity of the present site of San Bernardino. On November 27 the party encamped a few miles from the flourishing Mission of San Gabriel—the first Americans to make the transcontinental journey to California and the forerunners of a great overland advance.

The presence of the Americans in the province was contrary to Mexican law; but in spite of this, and the additional fact that Smith and his chief lieutenant, Harrison G. Rogers, were Protestants of the old school, the priests gave the strangers a courteous welcome. In charge of the mission at that time was Father José Bernardo Sanchéz, a man of generous spirit, for whom the Americans came to have a real affection.

"Old Father Sanchez," wrote Rogers as the party was about to leave the mission, "has been the greatest friend that I ever met with in all my travels . . . I shall ever hold him as a man of God, taking us when in distress, feeding and clothing us, and may God prosper him and all such men."

Upon the arrival of the Americans at the mission, a young cow was killed and an abundance of corn meal given the

half-starved trappers who at last, after three months of strenuous travel, had reached a land of plenty. A few days later Father Sanchéz presented Smith with sixty-four yards of cloth out of which he and his men, by this time almost naked, made themselves shirts.

Smith and Rogers, as leaders of the company, were shown additional courtesies by the mission priests. Most of these, Rogers found to be "very jovial, friendly gentlemen," remarkably appreciative of good liquors, and not much given to asking embarrassing questions. The mission, itself, then at the height of its prosperity, made a deep impression upon the American trappers. Rogers wrote of it as follows:

"The Mansion, or Mission, consists of 4 rows of houses forming a complete square, where there is all kinds of macanicks at work; the church faces the east and the guard house the west; the N. and S. line comprises the work shops. They have large vineyards, apple and peach orchards, and some orange and some fig trees. They manufacture blankets and sundry other articles; they distill whiskey and grind their own grain, having a water mill, of a tolerable quality; they have upwards of 1,000 persons employed, men, women, and children, Inds. of different nations. The situation is very handsome, pretty streams of water running through from all quarters, some thousands of acres of rich and fertile land as level as a die in view, and a part under cultivation, surrounded on the N. with a high and lofty mou [mountain], covered with grass. Cattle—this Mission has upwards of 30,000 head of cattle, and horses, sheep, hogs, etc. in proportion—They slaughter at this place from 2 to 3,000 head of cattle at a time; the mission lives on the profits."

After remaining at San Gabriel ten days waiting to hear from the governor, to whom he had written upon his arrival at the mission, Smith set out for San Diego to make his peace with the Mexican officials in person and obtain permission for his men to stay in the province. The rest of the company remained at San Gabriel, during Smith's absence, under the command of Rogers. The latter equally deplored his ignorance of Spanish and the condition of his garments. These, he says, were so torn and dirty that they gave him "a

very grotesque appearance when seated at table amongst the dandys with their ruffles, silks, and broad clothes."

Otherwise, however, Rogers' life at the mission was all that could be desired. He had an abundance to eat and drink, spent much of his time in hunting with the mission fathers, and watched with never failing interest the varied activities around him. One day he attends a wedding. Again he superintends the making of a large bear trap "to set in the priest's orange garden, to catch the Ind[ian]s in when they come up at night to rob his orchard." On another occasion he defends his Calvinistic creed against the Catholic doctrines around him, and on New Year's Day, 1827, he delivers an address to the "Reverend Father of San Gabriel Mission," setting forth in surprising detail the early missionary activities of the Christian church, and enriched by a lengthy quotation from Justin Martyr. Truly, Harrison G. Rogers, the fur trader, was a man of parts!

While Rogers was thus variously occupied, the men were becoming restless. A number of them were engaged by Father Sanchéz to cut cord wood for his coal pit; and others found temporary service with one of the hide and tallow ships taking on a cargo at San Pedro. On January 6, most of the company attended a celebration at the mission in honor of the feast of the Epiphany. Rogers thus describes what took place:

"Church held early as usual, men, women, and children attend; after church the ceremonies as on Sunday. Wine issued abundantly to both Spanyards and Inds., musick played by the Indian Band. After the issue of the morning, our men, in company with some Spanyards, went and fired a salute, and the old Padre gave them bread, wine, and meat as a treat. Some of the men got drunk, James Reed and Daniel Ferguson commenced fighting, and some of the Spanyards interfered and struck one of our men by the name of Black which came near terminating with bad consequence. So soon as I heard of the disturbance I went among them, and passified our men by telling what trouble they were bringing upon themselves in case they did not desist, and most of them being men of reason, adheared to my advice."

James Reed, however, a trouble maker on numerous occasions, whom Smith had been compelled to flog shortly after reaching San Gabriel, was too far gone to heed Rogers' admonitions. Instead, that same day, he came

> "very abruptly into the priest's dining room while at dinner, and asked for ergadent [aguardiente or brandy]; the priest ordered a plate of victuals to be handed to him; he eat a few mouthfuls, and set the plate on the table, and then took up the decanter of wine, and drank without invitation, and came very near breaking the glass when he set it down; the Padre, seeing he was in a state of inebriety, refrained from saying anything."

No further incidents of such an unseemly nature occurred, however, while the party remained at the mission.

In the meanwhile Smith was having considerable difficulty in his dealings with Governor Echeandia at San Diego. The Mexican law very definitely forbade the presence of foreigners in California without proper passports and these the governor was not willing to issue on his own responsibility. After nearly a month of negotiation, however, and the presentation of eight fine beaver skins, Smith secured the necessary papers. In his efforts he was greatly aided by Captain Cunningham, an American shipmaster in command of the *Courier*, a hide and tallow vessel then lying at San Diego.

Echeandia's concessions, given with reluctance and suspicion, were far from fulfilling all that Smith desired. He had requested permission to lead his party northward from San Gabriel through the settled portions of California, between the Coast Range and the sea, until he reached the Russian colony at Bodega. But this Echeandia refused to permit, and would only allow the Americans to return unmolested over the route by which they had come.

Making the best of the situation, Smith returned to San Gabriel on January 10, coming from San Diego to San Pedro as a guest of Captain Cunningham on the *Courier*. The next few days were spent in purchasing horses from the ranches near Los Angeles, repairing saddles, and arranging

equipment for a renewal of the journey. Finally, on Thursday, January 18, the party set out. The horses, some sixty-eight in number, were only half broken, and before the cavalcade had gone half a mile the animals began to run, strewing the contents of the packs along the way for a distance of eight or ten miles. Among the articles so unceremoniously lost were twelve dressed skins which Smith had received as a parting gift from Father Sanchéz.

The first night's camp was made near an Indian farmhouse, four miles northeast of the mission, where the party had spent the night of November 27. From this point their course lay eastward along the edge of the Sierra Madre Mountains. Following closely what is now the Foothill Boulevard, so popular with Southern California motorists, the party reached an outlying ranch of the San Gabriel Mission near the entrance to the Cajon Pass. Camping a short distance from this ranch the trappers spent several days breaking the still unruly horses and making final preparations for the long journey through the wild and unknown country ahead.

In spite of Echeandia's instructions, Smith had no intention as yet of quitting California. The route along the coast might be closed to him by the governor's orders, but east of the mountains there was neither Mexican law nor Mexican soldier to dispute the passage of the American trappers. Smith therefore turned northward when he reached the desert entrance of the Cajon Pass, followed the Sierra Madres to the junction of the Coast Range and the Sierra Nevadas, and entered the southern end of the great San Joaquin Valley, either by the Tejon Pass or the Tehachapi. Travelling leisurely down the valley, which he found inhabited by large numbers of Indians, very backward in civilization, living only on acorns, roots, grass, and fish, armed only with bows and arrows, but in no way hostile or dangerous, Smith and his men came at length to one of the numerous rivers which flow into the valley from the Sierras. This was probably the Stanislaus or the Merced, but here again the record is too incomplete to fix the matter definitely.

Smith called this stream the Wimmulche [Wimilche], after an Indian tribe which lived beside it. Here he trapped a short time, finding "a few beaver, and elk, deer, and antelope in abundance." He then endeavored to cross the Sierras and return to the Great Salt Lake. Nothing definite is known as to the pass through which Smith sought to lead his men on this occasion. He speaks of the attempt having been made across Mount Joseph,[2] but the route can only be conjectured. Harrison C. Dale, the best authority on the expedition, identifies "Mount Joseph" with Mt. Stanislaus, and tentatively fixes Smith's course along the middle fork of the Stanislaus River to the divide. Smith's own brief account runs as follows:

"I found the snow so deep on Mount Joseph that I could not cross my horses, five of which starved to death; I was compelled therefore to return to the valley which I had left, and there, leaving my party, I started with two men, seven horses and two mules, which I loaded with hay for the horses and provisions for ourselves, and started on the 20th of May, and succeeded in crossing it in eight days, having lost only two horses and one mule. I found the snow on the top of this mountain from 4 to 8 feet deep, but it was so consolidated by the heat of the sun that my horses only sunk from half a foot to one foot deep."

From the eastern slope of the Sierras, Smith and his companions probably followed the course of Walker River to the vicinity of Walker Lake and then turned northeasterly toward the Great Salt Lake. The intervening country was of the worst possible description, barren, waterless, and without game. One by one the horses gave out and were eaten by the famishing men; the scanty water holes were frequently two days apart; the Indians they encountered were hopelessly degraded, living on grasshoppers, lizards, and roots. More dead than alive, the three men, with but one horse and a mule left out of the nine with which they started from the San Joaquin, at length reached the southwest end

[2] Mt. Lassen on later maps sometimes appears as Mt. St. Joseph; but Mt. Lassen is too far north by many miles to be identified as the peak to which Smith refers.

of the Great Salt Lake, twenty days after leaving the Sierra Nevadas.

Smith's explorations in California did not cease with this first expedition. At the Salt Lake he met his partners, Jackson and Sublette, and remained with them about a month. Here a new party of nineteen men was organized and Smith set out, July 13, 1827, to rejoin the hunters he had left on the Wimilche. Following his original route, he reached the Mojave villages without serious mishap; but here disaster overtook him. For three days the Indians traded with the trappers and appeared as friendly as on Smith's first visit; but on the fourth, when the company had become separated in crossing the Colorado, they fell upon the Americans, killed ten of their number and forced the remainder to abandon most of their belongings and flee by forced marches across the desert. The stricken party reached the San Gabriel Mission after nine days and a half of desperate hardship. Smith, obtaining such supplies as he could at the mission and leaving two of his men behind, hurried forward into the San Joaquin Valley and rejoined the company he had left on the Wimilche the preceding May.[3]

The condition of the united party was far from satisfactory. Their food was about exhausted; the length of the journey and the difficulties before them made a return to the Salt Lake impossible without fresh supplies; and as they had violated the governor's orders by remaining in the province, they were likely to suffer arrest if application for aid should be made to the Californians.

Since there was no other recourse, however, Smith took his Indian guides and set out for the Mission of San José, which lay west of the Coast Range. This he reached in three days, probably crossing the mountains by way of Pacheco Pass. Father Durân, at the head of this mission, was a man of very different kidney from the good Sanchéz of San Gabriel. He had already accused the trappers of enticing away certain neophytes; and when Smith came

[3] The two men left at San Gabriel were Isaac Galbraith and Thomas Virgin. The latter had been wounded at the Colorado.

asking assistance, he arrested the surprised American and confined him in the wretched hovel called a jail. Here Smith was kept without food for three days, and for a much longer time was denied the privilege of presenting his case in person to the governor at Monterey.

When he finally obtained his release and arrived at Monterey, Smith found the governor (the selfsame Echeandía with whom he had dealt at San Diego the previous year) in no very amiable or certain frame of mind. For a time Echeandía threatened to send Smith as a prisoner to Mexico; but at length he was prevailed upon by several American ship captains, whose vessels were then in port, to permit the Americans to secure needed supplies and leave the country in peace. In return for this concession, Smith gave a bond for $30,000 to insure his actual departure from the province.

In the meantime Smith's men had abandoned their camp in the San Joaquin and travelled northward, finally arriving at San Francisco badly in need of food and clothing. Their situation was relieved by a German merchant named Henry Vimond who had recently established himself on the California coast. Smith next attempted to secure additional recruits for his company from among the English and American residents in California, but the Mexican authorities intervened to prevent him.

The agreement between Smith and Echeandía stipulated that the Americans should leave the Mexican settlements within two months. There were many good reasons for delaying their departure beyond this time, but the trappers, "being experienced and well acquainted with Spanish generousity," were afraid to take further risks and so began to move slowly northward along the "Bonadventure," or Sacramento River.

After various unsuccessful efforts to find a pass through the Sierra Nevada Mountains, the company left the Sacramento about the middle of April, 1828, and took a northwest course across the Coast Range, through what is now Trinity and Humboldt Counties, to the sea. This portion of the

route was rough and difficult in the extreme, as the writer of this volume, from his own experience, can feelingly testify. The pack horses were often scattered and lost in the thick brush. Others had to be abandoned because of fatigue or injury. Sometimes they tumbled off the make-shift trails, and were cut and bruised by the jagged rocks. Day after day the record of hardship and danger remained the same. But of these trials, a single entry from Rogers' diary must serve as an illustration. On May 14, 1828, he wrote:

"We made an early start, directing our course as yesterday N. W., and traveled 4 m and enc [encamped] on the top of a high mountain, where there was but indifferent grass for our horses. The travelling amazing bad; we descended one point of Brushy and Rocky Mountain, where it took us about 6 hours to get the horses down, some of them falling about 50 feet perpendicular down a steep place into a creek; one broke his neck; a number of packs left along the trail, as night was fast approaching, and we were obliged to leave them and get what horses we could collected at camp; a number more got badly hurt by the falls but none killed but this one that broke his neck."

Through this broken and inhospitable country Smith and his men painfully made their way, until on the 8th of June they reached the seacoast slightly above the mouth of the Klamath River. Several Indian tribes previously unknown were encountered during this stage of the expedition and a considerable number of furs collected. But food was scarce and game neither very plentiful nor in good condition. This, coupled with the difficulty of the route, sapped the strength of the men and made them recognize, more clearly than ever, the dangerous nature of the venture upon which they had entered. Thus, a note of pathos appears in the prayer Rogers records in his journal, under date of May 23, when the company were in the thick of these troubles.

"Oh! God," he wrote, "may it please thee in thy divine providence to still guide and protect us through this wilderness of doubt and fear, as thou hast done heretofore, and be with us in

the hour of danger and difficulty, as all praise is due to thee and not to man, oh! do not forsake us Lord, but be with us and direct us through."

From their camp near the mouth of the Klamath, the company followed the coast northward, keeping close to the sea, sometimes indeed travelling along the beach, until they came to the lower stretches of the Umpqua River. On this stage of the journey, many horses were lost, either in fording streams, (23 in 3 days was the record), or through other accidents. Some, too, were killed by the Indians. Game was not overly abundant; but a number of furs (including a few of the sea otter) and some food, chiefly berries, fish, and dried eels, were secured from the Indians. Moreover, Smith learned from the Umpqua Indians that the Willamette River with its open path to the Columbia, which meant safety and an end to hardship, lay only a short distance away. But the greater part of the company were destined never to reach this river.

On July 14, a Monday morning, Smith left his men when breakfast was over, to trace out a route for the day's journey. In his absence the Indians, who had previously been most friendly, suddenly attacked the camp, killing all but two of the trappers. Among the victims was the chronicler of the expedition, Harrison G. Rogers, as thorough a Christian gentleman as Smith himself. The survivors of the massacre, besides Smith, were Arthur Black who escaped to the woods after shaking off three of the savages; and John Turner, a man of gigantic strength, who, with only a piece of firewood for a weapon, beat down or killed four assailants, and succeeded in intercepting Smith as the latter was coming back to camp.

Ignorant of Black's escape, Smith and Turner made their way to the Hudson's Bay post at Vancouver, where Black had arrived the previous day. Here they were received with every kindness by Dr. John McLoughlin, factor in charge, who immediately sent an expedition which recovered nearly all the furs and property Smith had lost. Since the

latter had no means of transporting the restored furs, McLoughlin very generously purchased them from him at the market price—about $20,000 in all. Smith and Black remained at the Hudson's Bay Post throughout the winter, but Turner shortly joined a trapping expedition under McCleod and returned to southern Oregon where the massacre, from which he had so recently escaped, had taken place. For many years after this Turner made his home in the same region and is credited with having opened the cattle trade some years later between the Columbia and the Sacramento valleys. He also aided in the rescue of the Donner party in 1846.

With the coming of spring, Smith and Black set out to rejoin Jackson and Sublette, who were then trapping in the Snake River country. The reunion of the three trappers took place at Pierre's Hole, on the western side of the Teton Mountains, after a separation of nearly two years.

During this time Smith had covered an immense stretch of country, nearly all of which he was the first to explore. He had traversed the first of the great transcontinental routes to California, made known the valleys of the San Joaquin and Sacramento to the American trappers, and through them to American settlers; opened a line of communication from northern California to the Oregon country, a route the Hudson's Bay Company were quick to take advantage of; and traversed the Pacific slope from the Mojave Desert to Puget Sound. Yet in all the state no monument has ever been erected to this forerunner of California pioneers!

Smith's career, after his second expedition, did not again directly touch California. For some months after his return to Pierre's Hole, he continued in the fur trade with Jackson and Sublette; but finally he and his partners sold their business to the recently organized Rocky Mountain Fur Company, in which Bridger, Fitzpatrick, and Sublette were the leaders. In the spring of 1831 the former fur-partners embarked on the Sante Fé trade, setting out from St. Louis on April 10 with a party of eighty-five men. In the sandy



wastes between the Arkansas and the Cimarron River, the company found themselves without water and in a desperate strait. In seeking to discover some source of relief, Smith fell into an Indian ambush and was killed. He was a brave leader, a Christian gentleman who "made religion an active principle from the duties of which nothing could seduce him"; an explorer as well as a fur trader; and the true "Pathfinder" of California history. The annals of the west bear record of many heroic men, but no pioneer ever set foot on western soil of greater heroism and nobler life than Jedediah Strong Smith.

The standard authority on the expeditions of Jedediah Smith is:

Dale, Harrison Clifford, *The Ashley-Smith explorations and the discovery of a central route to the Pacific, 1822–1829.* (Cleveland, 1918.)



CHAPTER VI

JAMES OHIO PATTIE, FUR TRADER AND EXPLORER

BETWEEN the time of Jedediah Smith's arrival in California on his first expedition and the massacre of his men on the Umpqua, another company of Americans were making their painful way overland to the Pacific. The story of this party, like the story of Smith and his companions, will always remain one of the stirring epics of California history and of western adventure.

On June 20, 1824, five men crossed the Missouri River some sixty miles above St. Louis, on a trapping and trading expedition to the Rocky Mountains and the Spanish settlements of New Mexico. Ten pack animals carried their equipment, which consisted for the most part of traps, guns, ammunition, blankets, knives, and other articles adapted to the Indian trade. Sylvester Pattie, the leader of this small band, was a typical product of the frontier. Born in Kentucky in the thick of an Indian war, when his father was away from home serving under Colonel Benjamin Logan against the Shawnees, he had lived to see the last Indian attack upon a Kentucky settlement, only to seek a new home in 1812 on the Missouri border. Here the Indian menace was then almost as great as it had been in Kentucky twenty-five years before. The next decade, however, saw the steady advance of civilization in the Missouri territory; and when the death of Pattie's wife occurred, the tragedy woke in him anew a craving for travel and adventure in the unoccupied regions beyond the American frontier.

With Sylvester Pattie, on this expedition to the far west, went a son who bore the unique name of James Ohio. The boy was then about twenty years of age, exceptionally well-educated for a young man of the western border, skilled,

too, in all the arts of the frontier, and filled with the same deep "wandering and adventurous spirit" that his father and grandfather had known before him. It is not anticipating too much here to say that within the next six years this young frontiersman found all that his restless nature craved of new scenes, excitement, and danger. One might also add that American literature has not yet produced a tale of adventure equal to his simple narrative of the stirring events of those six years.

Checked at Council Bluffs in their plans to trap on the upper Missouri, the Pattie company joined a larger expedition en route to New Mexico to engage in the Santa Fé trade. The combined party, numbering a hundred and sixteen men, was placed under command of the elder Pattie, and after many stirring experiences and no little hardship, reached Santa Fé early in November. Almost immediately they were called upon to take part in the pursuit of a marauding band of Indians who had laid waste the outlying Mexican ranches and carried off a number of captives. In this campaign James Ohio not only distinguished himself as an Indian fighter, but also had the good fortune to rescue the daughter of a former governor of the province from a shameful captivity. He thus won the lasting friendship and gratitude of an influential family.

After this novel introduction to New Mexico, the career of the Patties became a succession of exciting episodes, hairbreadth escapes, and distressing misfortunes. Together with a few other members of the expedition, they first secured permission to trap on the Gila River, or the *Helay*, as the younger Pattie persistently calls it in his narrative. At that time the Gila was little known to Americans, though its lower reaches had long since been a familiar highway for the Spanish expeditions to California.

Passing down the Río del Norte the little company of trappers turned westward at Socorro, and after a hundred miles of travel came to the copper mines of Santa Rita, which the Spaniards had opened in 1804. From this point they continued their journey until they struck the upper

waters of the Gila. The Americans were now in almost virgin territory, so far as trapping was concerned, and succeeded in taking thirty beaver as the result of the first night's work. Trapping both along the Gila and its important tributaries, they obtained all the furs their pack animals could carry; but when they turned back to the Spanish settlements, the Indians robbed them of most of their horses, thus compelling them to bury the furs and return as best they could on foot.

The company reached the Santa Rita mines in a half-starved condition; but the younger Pattie, after a hasty trip to Santa Fé for goods and horses, turned back to the Gila country for the buried furs. Arriving at the main cache he found that the Indians had already rifled it, so that only a few skins hidden in a smaller deposit were recovered.

"Thus," says Pattie, "the whole fruit of our long, toilsome, and dangerous expedition was lost, and all my golden hopes of prosperity and comfort vanished like a dream."

After a few months spent at Santa Rita, during which he and his father successfully negotiated a treaty with the Apache Indians whose incursions had almost suspended the operation of the mines, James Ohio again felt "an irresistible propensity to resume the employment of trapping," and to see more of the fascinating, albeit dangerous country through which his first expedition had carried him. In the meanwhile, Sylvester Pattie had leased the Santa Rita mines, and, fearful of the dangers his son would necessarily have to face on the proposed expedition, sought to dissuade him from the undertaking. But the younger man had too much of the restless blood of the pioneer to accept his father's sound advice; and finding a party of Frenchmen bound for the Colorado, by way of the Gila, joined their company and set out January 2, 1826, for the unknown region of the southwest.

The story of this expedition is another chapter of bloodshed, hardship, and ultimate misfortune. Before a month



had passed, the company was almost annihilated by a treacherous attack of the Pápago Indians. From the massacre Pattie escaped through his foresight and good sense. With the aid of some American trappers, whom he was fortunate enough to encounter, he returned to the scene of the disaster and took fearful toll of the murderers. The bodies of his former companions he found "literally cut in pieces with fragments scattered in every direction."

The new company which Pattie had joined trapped successfully down the Gila (with a short expedition up the Salt or Beaver River), until they came to the Colorado. Here they traded for a short time with the Yuma Indians, an athletic, well-proportioned people at the time of Pattie's visit, and then began to ascend the Colorado—the first company of Americans to follow the lower courses of this great stream. Passing through the country of the Maricopa Indians, trapping profitably both along the river itself and in the lakes formed by the overflow waters, the company reached the Mojave villages on March 6, 1826, some six or seven months before Jedediah Smith passed through the same villages on his first expedition to California.

Pattie and his companions had several unfortunate skirmishes with the Mojaves, in one of which sixteen Indians were killed. Two nights later, when the whites were exhausted from lack of sleep, the savages crept into camp and got some measure of revenge. Pattie, in his terse account of the attack, says:

> "At about 11 o'clock this night they poured upon us a shower of arrows, by which they killed two men and wounded two more; and what was more provoking, fled so rapidly that we could not even give them a round. One of the slain was in bed with me. My own hunting shirt had two arrows in it, and my blanket was pinned fast to the ground by arrows. There were sixteen arrows discharged into my bed. We extinguished our fires and slept no more that night."

A few days later, a much more horrible fate overtook part of the company. Three of the trappers had been sent up a

tributary which emptied into the Colorado from the east to examine its fur possibilities.[1] When they did not return at the end of two days, a searching party set out to look for them.

"At mid-day," says Pattie, "we found their bodies cut in pieces and spitted before a great fire, after the same fashion which is used in roasting beaver."

A short distance above the scene of this tragedy, the party reached the lower end of the Grand Cañon of the Colorado. Here they found the mountains coming down to the water's edge so precipitously that they were compelled to leave the stream itself and follow the course of the river for 300 miles as best they could by keeping along the crest of the gorge.

For the beauty and wonder of the Grand Cañon, Pattie and his companions had neither eye nor feeling. Snow lay from a foot to eighteen inches deep on the ground over which they passed. Their clothing was inadequate to protect them from the cold. Their horses had no pasturage and became mere skeletons. Food was alarmingly scarce and the men grew faint with hunger and weariness. At length, however, the exhausted party came to the end of the cañon, "where the river emerges from these horrid mountains, which so cage it up as to deprive all human beings of the ability to descend to its banks and make use of its waters." Here the trappers once more set their traps and secured enough beaver meat to recruit their failing strength. From this point the expedition was continued with better success as far north as the Yellowstone and Platte Rivers. Then the company turned south down the Arkansas, crossed to the head waters of the Río Grande, and followed that stream to Santa Fé.

Eight months were required to complete the expedition; and even if Pattie had made no further explorations in the west, this undertaking alone—opening as it did a new route from New Mexico to the eastern boundary of California and traversing the whole course of the Grand Cañon of the

[1] Now called Bill Williams Fork.

Colorado, besides much of the central Rocky Mountain region would have entitled him to rank among the first of western explorers. But his career as a discoverer was still in its infancy. Subsequent travels were to carry him far beyond the limits he had previously reached, and through even greater vicissitudes.

Misfortune, as usual, deprived Pattie of the profits of the expedition just described. The company, which had confined itself for the most part to virgin territory, had been unusually successful in its trapping operations. Even the extreme hardships and frequent Indian attacks had not forced the men to cache or abandon the furs secured. So, when the party reached Santa Fé, it carried with it a very considerable fortune in beaver skins. But from a financial standpoint, all the months of toil, privation, and dangers went for nothing. On the ground that the Americans had exceeded their trapping license, the Mexican governor confiscated the entire catch of furs and enriched his own pocket with the proceeds.

The younger Pattie, indignant as he was at such treatment, appears to have wasted but little time in vain regret. After a hasty visit to his father at the mines, he started out upon another trading venture, this time into Old Mexico. Passing through Sonora, trading in the cities and little villages to which he came, Pattie reached the port of Guaymas, (or *Ymus*, as he spelled it) on the Gulf of California. He then turned eastward to Chihuahua and came by way of Casas Grandes to El Paso. A few days later he reached the copper mines at Santa Rita. Pattie's account of the country through which he passed and of Mexican habits and customs is full of interest; but lack of space prevents an extended account of this portion of his travels.

After his return to Santa Rita, the adventurous Pattie remained a short time with his father. On a hunting trip in the vicinity of the mines he had an unpleasant experience with a wounded grizzly. Pattie was lying behind a large rock, not far from a precipice which he had failed to notice, as the bear charged. Then things began to happen.

"I waited," he says, "until the horrible animal was within six feet of me. I took true aim at her head. My gun flashed in the pan. She gave one growl and sprang at me with her mouth open. At two strides, I leaped down the unperceived precipice. My jaw bone was split on a sharp rock, on which my chin struck on the bottom. Here I lay senseless. When I regained recollection I found my companion had bled me with the point of his butcher knife and was sitting beside me with his hat full of water, bathing my head and face. . . . My companion had cut a considerable orifice in my arm with his knife, which I deemed supererogation; for I judged that I had bled sufficiently at the chin."

Despite this experience, however, the restless explorer found life at Santa Rita too "stationary and unruffled" to be any longer endured. So, with fifteen companions, he set out on another trapping expedition along the Puerco River. Here a brush with the Mescaleros (a hostile band of Apaches) all but finished his wanderings forever. One of his company was killed and he himself painfully wounded in the hip and breast by Indian arrows. To extract the arrow heads it was necessary to resort to a rude bit of surgery, with one of the trappers acting in the capacity of surgeon. Some minutes were required to complete the operation; and of the wound in his hip, Pattie wrote that "the spike could not be entirely extracted, for being of flint, it had shivered against the bone."

Shortly after the return of the party to Santa Rita, a twofold disaster overtook the Patties. One of their highly trusted employees absconded with $30,000, leaving the Americans almost bankrupt; and before they had recovered from this blow, a decree of the Mexican government closed the mine at Santa Rita and forced them to fall back upon their beaver traps for a livelihood. It was this dual misfortune which was responsible for their eventual arrival in California.

Securing a license from the governor of New Mexico to trap in Chihuahua and Sonora, the two Patties, with about thirty American companions, left Santa Fé, September 23, 1827, for the Gila River. After trapping down this



stream as far as the Beaver [Salt] River with indifferent success, the company decided to extend its operations to the Colorado. Friction and disagreement, however, were already threatening the success of the expedition, and in order to create a more compact organization, each man signed an agreement that any member who deserted or left the company should be shot. Minor cases of insubordination, for which a form of jury trial was provided, were punishable by a fine of fifty dollars, payable in beaver skins.

In spite of these precautions, however, dissension developed to such an extent that the company shortly divided into two parts. One of these, consisting of the Patties and six others, continued down the Gila until they came to the Colorado. Their first night's encampment on this river brought disaster. The Yuma Indians, aided by the inky blackness of a heavy storm, drove off all the trappers' horses and left them in a desperate situation. Finding pursuit of the thieves a mere waste of time, the Americans destroyed the Yuma village and set about building enough canoes from the cottonwood trees, which grew in large numbers along the river bottom, to transport themselves and their furs as far as the Mexican settlements which they were led to believe existed near the mouth of the Colorado.

The voyage down the river from the Yuma villages for a time was delightfully free from hardship and the whims of misfortune. Day after day the little band floated along the circuitous channel of the lower Colorado, setting their traps nightly, and sometimes taking as many as sixty beaver between sunset and sunrise. So successful were these operations that the trappers soon found it necessary to build additional canoes to take care of their growing supply of furs. The Indians with whom they came in contact were simple hearted, friendly beings, who had never before seen an American or known the use of firearms.

At length, as the journey continued, the river ran through a low, marshy country, where the beaver skins were of poor quality and had almost no value. Here, also, the little

company, only one of whom had ever before been within sight of salt water, had its first experience with the Gulf tide. This, sweeping up the river, one night inundated the low-lying ground where the hunters had pitched their camp. A few days later the voyagers found the tide too strong and the waters too rough for further travel down stream, and so turned back up the river. This was early in February, when the Colorado had already begun to rise, and by the tenth of the month further progress against the current became impossible.

Since they could now neither go up nor down the Colorado, the only way of escape for the trappers was to abandon the canoes, bury the furs, and strike overland for the Spanish settlements on the coast. The weary journey across the Lower California desert began February 16, 1827. Each man carried his rifle, two blankets, and a considerable quantity of dried beaver meat. The loose, hot sand and lack of water soon reduced the company to very deplorable straits, a condition which was fortunately relieved by the discovery of an Indian village and a plentiful supply of fresh water.

After leaving this hospitable spot, the sufferings of the Americans were again renewed. The most desperate expedients were resorted to relieve the terrible desert thirst. Two of the company, with swollen tongues and ghastly, shrunken eyes, lay down in the shade of a little bush to die. The air seemed to sear and scorch the tissues of the lungs, and the dazzling sand caused a temporary blindness not unlike that produced by the glare of northern snows. A few hours more and none of the party could have survived. But at this critical moment, when Sylvester Pattie and an elderly companion had already been left to perish, the remainder of the company reached the edge of the mountains and found a clear running stream of water.

Saved from death by this discovery, the company, with the help of Indian guides, came at length to the Dominican Mission of Santa Catalina on the headwaters of the San Quentin River in Lower California. The authorities of this

mission were suspicious of the Americans and accorded them but shabby hospitality.

At length, word having been sent to the governor of Alta California of the presence of the Americans in the province, they were ordered to report under guard to San Diego. Here, after having been relieved of their arms, the trappers were brought before the governor—the selfsame Echeandia with whom Smith had had his dealings only a few months before. Doubtless the arrival of this second party of foreigners, following so closely upon the heels of Smith's two expeditions, caused Echeandia much genuine alarm for the safety of California. He had also reason to fear a severe reprimand from his superiors in Mexico unless he employed harsh measures against the intruders.

So, without much ado, the governor, making the absurd charge that the Americans were spies of old Spain, clapped the entire company into the miserable San Diego jail, and proceeded to deal out to them the ill-usage ordinarily accorded Mexican prisoners from that day to this.

"My prison," wrote the younger Pattie, "was a cell eight or ten feet square, with walls and floor of stone. A door with iron bars an inch square crossed over each other, like the bars of window sashes, and it grated on iron hinges as it opened to receive me. Over the external front of this prison was inscribed in capital letters *Destinacion de la Cattivo*. . . . A soldier came, and handed me in something to eat. It proved to be dried beans and corn cooked with rancid tallow! The contents were about a pint. I took it up and brought it within reach of my nostrils and sat it down in unconquerable loathing. When the soldier returned in the evening to bring me more, I handed him my ration untasted and just as it was. He asked me in a gruff tone why I had not eaten it? I told him the smell of it was enough, and that I could not eat it. He threw the contents of the dish in my face, muttering something which amounted to saying that it was good enough for such a brute as I was. To this, I answered that if being a brute gave claims upon that dish, I thought he had best eat it himself."

The monotony and confinement of prison life, augmented by ill-usage and poor fare, chafed the spirits of even the har-



diest of the American trappers. In the case of Sylvester Pattie, whose health had already been undermined by the sufferings experienced on the desert, the additional hardships of captivity wasted away his strength and brought on a fatal illness. In this extremity the younger Pattie was denied access to his father, and the latter died alone and unattended in his prison cell.

Following this tragedy there was some relaxation in the prisoners' treatment, and James Ohio found occasional relief in serving as an interpreter for Governor Echeandía. He also made the acquaintance of one of the California women, a young lady, as he describes her, of beauty and charm, whose kindness and attention added something of romance to his prison experience. From the captains of three or four American vessels then at anchor in the harbor, Pattie also received much assistance. One of these was Captain Cunningham, who had aided Jedediah Smith a few months before. John Bradshaw, of the ship *Franklin*, was another willing friend of the prisoners, but as luck would have it, Bradshaw himself was under a cloud with the California governor, and so was not able to secure Pattie's release, as Cunningham had done for Smith.

A chance for freedom appeared, however, when Echeandía was prevailed upon to grant the Americans permission to return to the Colorado and secure their buried store of furs. But this hope was soon extinguished by the announcement that Pattie would be held in San Diego to insure the return of his companions. The rest of the trappers, however, set out upon the expedition. Upon reaching the Colorado, they found that an overflow of the river had ruined the buried furs, leaving only the traps to pay for the expense and pains of the undertaking. Two of the trappers, having had enough of California, left their companions at the Colorado and made their way back to New Mexico. The remainder, in accordance with their promise to Echeandía returned to San Diego, where they were once more imprisoned.

An unusual situation, however, soon afterwards brought

about the release of the prisoners. A severe epidemic of small pox at that time was sweeping over the northern part of the province, carrying off Indians and Mexicans alike. As the disease spread farther and farther south, and the Californians found themselves unable to check its progress, the governor appealed to Pattie for assistance. The latter had in his possession a small quantity of vaccine, which his father had brought from the Santa Rita copper mines, and this Pattie agreed to give in return for the liberation of himself and his companions on a year's parole.[2]

In fulfillment of this agreement, and with the understanding that Pattie should also receive a monetary reward for his services, the Americans were given their freedom and Pattie began the novel and rather stupendous task of vaccinating all the Mission Indians and the other inhabitants of the province. A thousand persons were treated at San Diego, nearly four thousand at San Luis Rey, six hundred at San Juan Capistrano, more than nine hundred at San Gabriel, twenty-five hundred at the pueblo of Los Angeles, and a larger or smaller number at each of the missions, pueblos, and presidios as far north as San Francisco. Altogether Pattie claims to have innoculated a total of twenty-two thousand persons during his short career as an amateur surgeon. Surely medical annals contain no other record quite so unique! And just as surely, never have there been so many arms swelling and itching in unison from San Diego to Sonoma as during this itinerary of James Ohio Pattie, fur hunter and sometime surgeon extraordinary to his Excellency, the Governor of California!

From San Francisco Pattie made a short visit to the Russian post at Bodega, where he received a hundred dollars for medical services rendered to the colonists there. Upon his return to San Francisco, where he expected to be paid by the Franciscans for vaccinating the Indians of the various missions, Pattie was offered a thousand head of cattle, together with the necessary land for pasturage, on condi-

[2] Pattie's supply was of course augmented by virus from innoculated patients.



tion that he accept the Catholic faith. This offer Pattie indignantly refused and soon left San Francisco for Monterey.

Here he came in contact with a number of Americans, most of whom were connected with ships in the harbor. After several months spent in coastwise voyages and sea otter hunting on one of these vessels, Pattie returned to Monterey, where he found the country in the throes of one of its frequent revolutions. The leader of the movement, which was directed against Governor Echeandía, was a man of some military ability, named Solís, who had been banished to California from Mexico a few years before because of his extreme cruelty. The details of this insurrection are unimportant, except to note that Pattie, together with most of the American and English residents about Monterey, became involved in it. At first taking the side of the revolutionary party, they later became alarmed at the attitude shown by Solís toward the foreigners and turned against him. This brought about his defeat, a proceeding in which a barrel of rum, generously dealt out to his supporters by the Americans, played fully as large a part as powder and balls.

The share which Pattie had in thus reducing the revolt at once placed him high in Governor Echeandía's favor. But the offers which the latter made were not well received by Pattie, who was resolved to lay his claims in person before the Mexican government. Accordingly he embarked for the west coast of Mexico on the same vessel that carried the prisoners taken by Echeandía in the Solís revolt. Most of the Americans who had come with him from New Mexico, however, remained as permanent residents of California.

From San Blas, where the ship anchored, Pattie went overland to Mexico City. Here he presented his claims to Anthony Butler, then American chargé d'affaires, and also laid his case before President Bustamante. From the latter Pattie received sympathy, but nothing else; and after a brief stay in the Mexican capital he continued his journey to Vera Cruz and thence came, by way of New Orleans, to

his birthplace in Kentucky. This he reached the last of August, 1830, a man broken in spirits and in fortune, after six years of incredible hardships and desperate adventures.

The increase made by James Ohio Pattie and his father to the knowledge of the great southwest cannot be over-magnified. Among other contributions their explorations opened one of the chief overland routes to California and prepared the way for the development of the important St. Louis-Santa Fé-Los Angeles trade. "Brave, honest, God-fearing, vigorous in mind and body, dependent on their own resources . . . . the Patties belonged to that class of Americans who conquered the wilderness, and yearly pushed the frontier westward." Such is the tribute paid by Rueben G. Thwaites, one of the greatest of western historians, to these two Kentucky pioneers, and in this judgement every Californian will concur.

Of James Ohio Pattie's later history almost nothing is known, except that he returned to California during the gold rush and set out for the mines. What became of him after that, no one can say. As his life was filled with adventure, so his death is shrouded in mystery. It is fitting that this should be so.

The principal source for this chapter is:

Pattie, James Ohio, *Personal narrative of a voyage to the Pacific and in Mexico, 1824–1830* (Cleveland, 1905. Or. ed. Cincinnati. 1831), in *Early Western Travels*, ed. by Rueben G. Thwaites, XVIII.

[redacted]

CHAPTER VII

THE SUCCESSORS OF SMITH AND PATTIE

THE arrival of the Smith and Pattie companies ushered in a decade of singular importance in California history. Ill-equipped and insignificant in size as these expeditions were, they not only presaged the great overland advance of American settlers, which culminated in the riotous days of '49, but also forecast, with equal certainty, the end of Mexican control and the annexation of California to the United States.

It was some years, however, after the coming of these first explorers that organized immigration, with the object of permanent settlement, actually began. In the meantime numerous trapping expeditions, most of them larger than either the Smith or Pattie companies, found their way across the mountains into the valleys of the interior or to the settlements along the coast.

To give here a detailed account of each of these parties is manifestly impossible. Not only does lack of space forbid such an attempt, but the very nature of the men who made up these expeditions also adds to the difficulty of the task. The fur hunter, like most pioneers, was a man of action rather than a chronicler of events, and seldom left behind a written account of his itinerary or achievements. One may catch an occasional glimpse of him, now here, now there, as he wanders through the mountain fastnesses and great inland valleys of California, or approaches some coast settlement for the purchase of supplies. But for the most part his goings and comings are hidden in obscurity, and the knowledge we have of his activities in California is disappointingly meager.

Fortunately, however, the fur hunters of those early days

did not confine their operations to any one region. The whole west was their habitat, from the Platte, the Missouri, the Arkansas, and the Red River to the Pacific; and from the Canadian line as far south as the Rio Grande and the Gila, and even beyond those streams into Chihuahua and Sonora. Whether in the Rocky Mountains or the Sierra Nevadas, the fur trader's manner of life, his methods of trapping, and the organization of his companies were virtually the same. A brief description of the industry as a whole will therefore serve to explain something of its nature as it was carried on in California.

The fur traders were divided into two classes—the *engagés*, or regular company employees, and the independent hunters, or free trappers. The former, well illustrated by Jedediah Smith's expedition, were bound by definite contract to the company's service for a specified period, usually of a year's duration. They received, together with food and equipment, a stipulated wage, ordinarily amounting to $150 a year. Often this was paid in beaver fur at a price per pound agreed upon when the contract was entered into. The discipline maintained in expeditions of this kind was necessarily of military strictness. Throughout the regions where the fur business was carried on, conditions were not particularly favorable to the enforcement of law or the development of courts. Consequently, custom and usage, maintained when in dispute by the individual, took the place of statutes, judges, juries, and sheriffs.

A handful of men, carrying with them articles greatly coveted by the Indians, or laden with the profits of a season's hunt, travelling through a perilous country, perhaps a thousand miles from any base of supplies, could not long survive unless all were subject to a single leader, whose orders were executed by direct and forcible means whenever necessary. If unrestrained by some such rigid discipline, a few quarrelsome or evilly disposed men, either through desertion, broils among themselves, or unnecessary provocation of the Indians, might easily involve the entire expedition in ruin. To preserve order and obedience among

a company of reckless, semi-lawless trappers, particularly when dissatisfaction prevailed because of continued hardship, or opportunity for insubordination offered itself, was no child's play. At the San Gabriel Mission, for instance, Smith was compelled to flog one of his men to correct a confirmed tendency to mischief making. The Pattie party, as already told, broke up on the Gila with disastrous consequences because the malcontents could not be held to their obligations. Later, the inability of Joseph Walker to control his company when encamped near Monterey, resulted in the financial ruin of the expedition. To lead a trapping party successfully, required not only the nominal power to enforce discipline, but also tact, unwavering firmness, resourcefulness, and a consummate ability to handle men. Whenever these qualities were lacking in a leader—and not infrequently even when they were present—an expedition came to grief.

Even more picturesque than the *engagés*, both in appearance and manner of life, was the free trapper. Bound by no obligations, owing no allegiance to any company, in everything his own master, the free trapper relied upon his own resources, provided his own equipment, and trapped when and where he pleased. His reckless nature and characteristic garb were thus described by Captain Bonneville, the friend of Washington Irving:

"It is a matter of vanity and ambition with the free trapper to discard everything that may bear the stamp of civilized life, and to adopt the manners, habits, dress, gesture, and even walk of the Indian. You can not pay a free trapper a greater compliment, than to persuade him that you have mistaken him for an Indian; and, in truth, the counterfeit is complete. His hair, suffered to attain a great length, is carefully combed out, and either left to fall carelessly over his shoulders, or plaited neatly and tied up in otter skins, or parti-colored ribbons. A hunting shirt of ruffled calico of bright dyes, or of ornamental leather, falls to his knees; below which, curiously fashioned leggins, ornamented with strings, fringes, and a profusion of hawks' bills, reach to a costly pair of moccasins, of the finest Indian fabric, richly embroidered with

beads. A blanket of scarlet, or some other bright color, hangs from his shoulders, and is girt round his waist with a red sash, in which he bestows his pistols, knife, and the stem of his Indian pipe. His gun is lavishly decorated with brass tacks and vermilion, and provided with a fringed cover, occasionally of buck skin, ornamented here and there with a feather. His horse is caparisoned in the most dashing and fantastic style; the bridals and crupper are weightily embossed with beads and cocades; and head, mane, and tail are interwoven with an abundance of eagles' plumes, which flutter in the wind. To complete this grotesque equipment, the animal is bestreaked and bespotted with vermilion, or with white clay."

In the decade from 1830 to 1840 both *engagés* and free trappers came into California, the latter probably in somewhat larger numbers than the former. Several of the expeditions were also composed of both types; for the free trappers not infrequently joined themselves temporarily, for purposes of protection or other advantage, to a regularly organized party. In such cases special arrangements were made to cover the matter of equipment and wages.

Most trapping companies were divided into messes of six men each. One member of each mess served as cook for the other five, and in return received his proportionate share of the furs taken by his companions. Each trapper, besides his saddle horse, had at least two pack animals to carry his equipment and furs. His arms consisted of a rifle, one or more pistols, a hunting knife, and generally a small ax or tomahawk. The rifle usually carried resembled the famous Kentucky squirrel rifle, but was of a somewhat larger bore.

The fur chiefly sought after, from the Rocky Mountains to the Pacific, was that of the beaver. These skins sold in the mountains for an average price of five or six dollars each. So universal, indeed, was their use that they served as an accepted medium of exchange in place of money throughout the west. They were carried in bundles, or "packs," weighing from eighty to a hundred pounds apiece. Frequently trappers were compelled to cache their surplus

provisions, equipment, or furs, because of some threatened danger or exigency of the route. When such an emergency arose, a pit was secretly dug in a dry and sheltered place and the sides and bottom lined with branches, canvas, or even stones. After the articles had been carefully stored away, a covering, as nearly water-proof as possible, was placed over the cache. Every trace of labor was then removed and the ground made to look as though it had never been disturbed.

In spite of the most skillful precautions, however, and especially when the cache was made under the stress of danger or in urgent haste, marauding Indians, wild beasts, or unexpected floods frequently destroyed the buried stores, thus causing serious financial loss and not infrequently bringing the unfortunate trappers face to face with starvation. It will be recalled that the Patties, along with many other disasters, suffered at least twice in this regard—once when the Indians rifled their cache on the Gila and again when high water ruined the furs they had buried on the banks of the Colorado.

In addition to the furs taken by members of an expedition through their own trapping operations, large numbers of skins were also obtained by trade from the Indians. To meet the demands of this Indian trade, as well as to supply the personal needs of the trappers themselves, every well equipped expedition carried with it a wide variety of merchandise, of which the following list adapted from Chittenden, furnishes a typical illustration. The prices were those prevailing in the mountains:

Gunpowder at a dollar and a half a pound (payable in beaver skins); scarlet cloth at six dollars a yard; beaver traps at nine dollars each; finger rings at five dollars a gross; copper kettles at three dollars a pound; tobacco, blankets, files, coffee, dried fruit, washing soap, sugar, handkerchiefs, awls, horse-shoes, buttons, cotton goods, calicoes, axes, beads, looking glasses and a dozen similar articles at corresponding prices. Not least in the catalogue —whether in the estimate of the Indians and trappers, or in the profits which it brought, or the demoralization it accomplished—

was a liberal supply of rum. This was always of remarkable potency and sold at a minimum price of thirteen dollars a gallon.

A majority of the western trappers came from Virginia, Kentucky, and Tennessee, and had behind them an ancestry and early training which fitted them thoroughly for the peculiar and dangerous work of their profession. For the most part they were a rough, reckless lot, if judged by the present day standards of society; but among them could also be found men of education, refinement, and high moral character. Drunkeness and gambling were the chief vices, indulged in so freely when the trappers met at the annual rendezvous that the entire proceeds of a year's hard work were usually squandered in a few days of riotous and unrestrained debauch.

Naturally, with such men the accepted standards of morality did not obtain. Shut off from women of their own race, they formed connections with Indian squaws (sometimes, but not often, dignified by the tribal marriage ceremony); or, in the extreme southwest, found the free and easy virtue of the Mexican women in natural keeping with their own desires.

The life, as a whole, was full of hardship, loneliness, and an almost unbelievable element of risk. Danger was everywhere, and death usually came in unexpected and violent forms. Trappers died in brawls among themselves, and from starvation, thirst, snowslide, flood, and accidents of many kinds. They were mangled beyond recognition by grizzly bears or crushed under the hoofs of buffalo herds. They were killed by Indians, sometimes in pitched battle; sometimes in sudden surprise attack as they lay sleeping under the open sky. Often they fought their last grim fight in some lonely cañon or upon the banks of a quiet stream, single handed against hopeless odds; or, most fearful of all, faced fire and torture at the hands of their Indian captors.

The perilous nature of the business might, indeed, be shown from the experience of almost every trapping expedition that crossed the western plains. But a single illustra-

tion must suffice. Of the hundred and sixteen men who started for Santa Fé in the company which included the Patties, only sixteen remained alive at the end of the first twelve months!

With all its dangers, however, the life of the trapper had about it a compelling fascination that seldom allowed a man, upon whom its spell once rested, to forego his love of wilderness and mountains. So, when furs decreased and the business became no longer profitable, the trappers turned to other lines of frontier activity. They became Indian agents and government scouts or went into mining and cattle raising. Later many of them found service in the overland mail companies, and a few survived to help with the construction of first transcontinental railroads.

The trappers who reached California between 1830 and 1840 followed, in the main, three or four fairly well defined routes. The most northerly of these led from the Columbia basin into the Sacramento Valley, and was probably first used by expeditions sent out from the Hudson's Bay post at Vancouver, after the escape of Smith and his two men from the Umpqua massacre. The earliest of these, led by McLeod and guided by Turner, one of Smith's companions, reached the Sacramento in 1828 and succeeded in taking a large number of skins. A second, under command of the famous Peter Skeen Ogden, crossed over from the Snake River and spent eight months on the Sacramento and San Joaquin, returning to Vancouver laden down with furs. A number of other expeditions during the decade followed the same route, finding the Sacramento and its tributaries, such as the Feather and the American Fork, rich in beaver and comparatively easy of access.

While Hudson's Bay employees and a few American trappers were finding their way into California by means of the Oregon route, two other trails, both of which had their starting point in the quaint old town of Santa Fé, were being opened up by fur hunters operating in the southwest. The importance of Santa Fé during this period of California history is not easily over-estimated. Here, from about

1825 on, centered the trading and trapping life of the southwest. Here, on occasion, Americans just arrived with their mule or ox-drawn caravans from Independence or Franklin or St. Louis, intent upon exchanging their cargoes of cotton goods and calicoes for Mexican silver, furs or mules, touched elbows in the little shops, *cantinas*, and narrow streets with many a fellow countryman to whom Santa Fé was but the beginning, rather than the end of adventure.

Here trapping expeditions outfitted for the lower Rio Grande, or went northward to the Green and the Platte, or westward to the Colorado and the Gila. Here other Americans, having secured the necessary passports, left for the interior of Chihuahua and Sonora to bring back gold, silver, mules, panoche, and liquor, much in demand among the inhabitants of New Mexico. Here, also, many trapping and trading expeditions were organized for the long journey to California.

The earliest of these California parties to follow the Patties, was led by a Tennessean named Ewing Young, who had been for some years both trapper and trader in New Mexico. Leaving Taos in 1829 Young and his companions, with a passport signed by Henry Clay, took a northwest course till they came to the tributaries of the Grand River. From the Grand they crossed to the Green, and then appear to have followed Smith's first route into California. Instead of immediately visiting the Mexican settlements on the coast, however, they turned north without entering the Cajon Pass, to trap the streams of the San Joaquin.[1] Somewhere in this valley, or in the lower part of the Sacramento, they came upon Ogden's party of Hudson's Bay employees, but the meeting was apparently friendly on both sides.

After a visit to the San José Mission, Young finally led his men to Los Angeles. In this little pueblo, a few days of debauchery put the trappers so beyond their leader's control that he was glad to get them back to the wilderness

[1] The same year an important *Mexican* expedition under Antonio Armijo followed a somewhat similar course to San Gabriel.

with the loss of only one man. This fellow, known as "Big Jim" to his companions, was killed on the road from Los Angeles to San Gabriel by one of his fellow trappers.

Young reached Taos on his return from California in the summer of 1830. He then formed a partnership with William Wolfskill, a Kentucky trapper of several years' experience in the Missouri-Santa Fé-Chihuahua trade, to trap the interior streams of California from which Young had just returned. From Taos Wolfskill and his company came to the Colorado by way of the San Juan, Grand, and Green Rivers, and then turned south until further progress was checked by the impassable barrier of the Grand Cañon. A westerly course then brought the trappers to the Sevier River; but this they soon left for a southwest course to the Sierras. Wolfskill's company, however, were such a motley, dissatisfied crew that the proposed march to the Sierras had to be abandoned for the easier route by way of the Mojave villages and the Cajon Pass to Los Angeles. Here the expedition fell to pieces.

The Young-Wolfskill expeditions marked the opening of the so-called "Old Spanish Trail," over which the regular caravan trade was afterwards conducted between Los Angeles, Santa Fé, and Missouri. The year following, the route first taken by the Patties along the Gila was to furnish a new avenue of approach to California for the New Mexican traders.

Early in the fall of 1831, a year after Wolfskill's departure from Taos, a combined trading and trapping expedition was sent from Santa Fé to California by the newly organized firm of Jackson, Waldo and Young. The expedition consisted of two companies. The first, composed of eleven men, left Santa Fé on September 6, under the command of Jackson, the former partner of Sublette and Smith, who had come to New Mexico the preceding season with the disastrous expedition that witnessed Smith's death. It was proposed that Jackson's party should proceed directly to California and there purchase a large number of mules to be driven back to Missouri and Louisiana. For this purpose

five of the pack animals of the expedition were laden with silver pesos. While this was the first undertaking of its kind to embark for California, the buying of mules in Sonora and Chihuahua for the western American states was a recognized branch of the Santa Fé trade, and Jackson merely proposed to extend the plan to California.

Following Pattie's old trail through Albuquerque, Santa Rita, and along the Gila to the Colorado, Jackson's party crossed what is now the Imperial Valley to the Mission of San Luis Rey, and thence continued to San Diego. From San Diego they turned northward to Los Angeles. Jackson and most of the company then continued up the coast as far as San Francisco, looking for mules and horses, but finding the number, for some reason or other, very limited. Less than seven hundred animals were secured, though the original purpose had been to purchase as high as two thousand. The cost was probably from ten to fifteen dollars each.

The second section of the expedition, under command of Ewing Young, left Santa Fé only a few days behind the Jackson party. Young proposed to follow down the Gila and trap that stream and the Colorado until the season was over. He then intended to join Jackson in Los Angeles. From Los Angeles the combined party was to return to Santa Fé, driving the mules Jackson had purchased in California.

The two partners met at Los Angeles, in keeping with this agreement, about April 1, 1832; but neither could claim more than indifferent success. Jackson's failure to secure the desired number of mules and horses has already been noticed. Young, through a combination of misfortunes, had little to show in the way of beaver skins for his stay on the Colorado and the Gila. The original plan of the expedition was therefore abandoned. It was decided that the combined party should proceed to the Colorado, and that Jackson should then take such men as were necessary and return to Santa Fé with the mules and horses, while Young came back to the coast to prepare for an extended trapping ex-

pedition through central and northern California the following autumn.

In May, therefore, the whole company set out for the Colorado, across which they got the most of the animals after twelve days of exhausting labor. Jackson and Young then separated, the former taking the trail for Santa Fé, and the latter returning to Los Angeles. Before Jackson had gone two days' journey from the Colorado most of his animals were killed or stampeded by a sudden Indian attack. Young, on his part, spent the summer hunting sea otter off the California coast and in October left Southern California with fourteen men by way of the Tejon Pass for the San Joaquin.

After trapping the King's, Fresno, and San Joaquin Rivers, until they discovered that a Hudson's Bay party had preceded them, the Americans pushed on to the Sacramento, where they found the rival trappers encamped. Leaving the Sacramento, after several weeks of trying experience with high water and mud, Young next led his men to the sea coast, some seventy-five miles north of the Russian settlement at Ross. Continuing up the coast, he entered the Umpquah valley; passed over to Klamath Lake; crossed the Klamath, Rogue, and somewhat later the Pitt River, and eventually returned to the upper Sacramento. This he followed to the American Fork and then passed down the valley to the San Joaquin. Trapping along this stream he came again to the King's, where he found his trail of the previous year. This he followed to the Tejon, and going on by way of Elizabeth Lake and the Cajon Pass came finally to San Bernardino.

Young's wanderings, however, were not yet over. Crossing from Temecula to the Colorado, he spent some months trapping on that river and the Gila. He then returned to Los Angeles in the early summer of 1834. Continuing northward he purchased a drove of horses with the proceeds of his furs, but instead of taking them to Santa Fé, as he had originally planned, he drove them northward to the settlements on the Columbia. Here in Oregon Young

finally made his home. He continued his excursions into California, however, for many years, no longer as a trapper, but as a trader in mules and cattle.

Besides the routes from Santa Fé to Los Angeles, and from Oregon to the Sacramento, at least one other approach to California was used by the fur hunters of the thirties. This was opened in 1833–34 by Joseph Walker, and later became one of the important emigrant trails. Like Young and many another trapper, Joseph Reddeford Walker, "one of the bravest and most skilful of the mountain men," was a native of Tennessee. After serving an early apprenticeship as sheriff in one of the Missouri counties, he entered the Santa Fé trade, and afterwards engaged in various trapping expeditions to the Rocky Mountains.

As a result of the reputation which he had thus gained, Walker was selected by Captain Bonneville, whose story was afterwards given to the world by the vivid pen of Washington Irving, to serve as one of his chief lieutenants when he undertook his western expedition. On July 24, 1833, Walker left the main command under Bonneville on Green River and with thirty-five or forty men started westward to explore the territory beyond the Great Salt Lake. Passing the lake, the company struck the headwaters of the Humboldt, or Mary's River, and followed this to its sink. The experiences of the party from this point on are thus described by Washington Irving:

"The trappers continued down Ogden's River, until they ascertained that it lost itself in a great swampy lake, to which there was no apparent discharge. They then struck directly westward, across the great chain of California mountains intervening between these interior plains and the shores of the Pacific.

For three-and-twenty days they were entangled among these mountains, the peaks and ridges of which are in many places covered with perpetual snow. Their passes and defiles present the wildest scenery, partaking of the sublime rather than the beautiful, and abounding with frightful precipices. The sufferings of the travelers among these savage mountains were extreme; for a part of the time they were nearly starved; at length they

made their way through them, and came down upon the plains of New California, a fertile region extending along the coast, with magnificient forests, verdant savannas, and prairies that look like stately parks. Here they found deer and game in abundance, and indemnified themselves for past famine."

The exact course taken by Walker's company across the Sierras is still a matter of conjecture. Some authorities identify it with the familiar route along the Truckee, which came into general use a decade later. Others hold that the trappers remained east of the mountains until they came to the stream now known as Walker River, and followed this to the crest of the divide. George Nidever, himself a member of the expedition, states that the route down the western slope lay "through a valley between the Merced and the Tuolomi Rivers."[2] But whatever the route, the Tennessee trapper deserves the distinction of being the first American to cross the Sierra Nevadas proper *into* California.[3] Because of the discoveries made on this and later expeditions, he ought also to be ranked with Smith and Pattie as one of the greatest of California explorers.

After reaching the San Joaquin Valley, the Walker party travelled southward a short distance and then turned westward to the coast. Christmas was spent at Monterey, whose inhabitants proved courteous and diverting hosts. Here the trappers, getting beyond Walker's control, wasted their employer's substance in riotous living, making the expedition a very costly venture for the unlucky Bonneville.

After some months of ease at Monterey, the party, minus a number of its members who elected to remain in California, returned to the San Joaquin. Continuing up this valley, they came, near its southern extremity, to an opening through the Sierras, since known as Walker's Pass. This furnished an outlet from the south fork of the Kern River to the eastern side of the divide; but whether Walker discovered the now famous Owen's River Valley on this, or a subsequent

[2] Walker's tombstone bears the inscription, "Camped at Yosemite, Nov. 13, 1833."

[3] Smith of course crossed the Sierras before Walker, but he made the passage from west to east.

expedition, is not definitely known. After traversing Walker's Pass the trappers followed a course generally running to the northeast, until they rejoined the disappointed Bonneville on the Bear River in central Utah.

Space does not permit the mention of other parties that entered California during this particular period. But to complete the chapter the significance of the fur trader's contribution to California history ought to be pointed out. One of the results of importance to the economic life of California, New Mexico, and the western American states was the inauguration of a regular intercourse between Los Angeles, Santa Fé, and St. Louis, following the Wolfskill, Young, and Jackson expeditions of the early thirties. The route along which the Los Angeles-Santa Fé caravans passed, known as the Old Spanish Trail, paralleled very closely the present line of the Santa Fé Railroad. The trade was conducted by means of pack trains, which made the round trip once each year. Outward bound from Santa Fé, the caravans carried blankets, Mexican woolen goods, silver, and numerous American wares from St. Louis. On the return journey, the traders brought back chiefly Chinese products—silks and the like—obtained from trading vessels on the coast, and horses and mules for the American markets.

Another significant effect of the fur trade was to increase the foreign population of California. Many of the fur hunters fell under the spell of the province and made it their permanent home. This class of Americans, rivaling those who came by sea in point of number, though settling in many parts of the province were especially numerous in the region about Los Angeles. Many of these, like Wolfskill, J. J. Warner, Isaac Williams, William Workman, Jacob P. Leese (to mention only a few), were men of excellent character and faithfully served the interests of their adopted country.

Others were citizens of a different type. Instinctively daring and lawless, contemptuous, like most westerners, of Mexican control and authority, always heavily armed, clad in a half-savage costume, and undeterred by the most formidable barriers of mountains and desert from entering

the province, the American trapper naturally became a source of fear and annoyance to the California officials. He was often in difficulty with Mexican citizens or members of his own race, and sometimes even united with the Indian horse-thieves of the interior to drive off horses and other live stock from the coast ranches. In several of the numerous revolutions which kept the course of California politics from running smooth, he was also an important factor. On such occasions whim alone seems to have determined his choice of sides, and not infrequently he transferred his allegiance from one party to the other with calm disregard for previous affiliations. Furthermore, he cherished the scarcely concealed expectation that some day he and his companions would overthrow Mexican control entirely, and take the destiny of the province into their own hands.

A third result of the fur trade was to familiarize the settlers of the western states with the easy conditions of life in California, and to acquaint them with the undeveloped resources of the Pacific slope. The reports and tales brought back by returned trappers quickly found their way into local newspapers and were circulated from mouth to mouth, until a fever of interest in California spread from community to community along all the American frontier.

The fur hunters, also, having opened up overland avenues of approach to the Pacific, became guides for subsequent immigrant parties along these routes, and even made possible the success of government exploring expeditions, such as that of John Charles Frémont, across the Sierras. Joseph Walker, Kit Carson, and James Bridger, to mention only a few of the more familiar names, all learned the routes and passes to California while engaged in the fur trade. Thus, before government explorer, pioneer settler, or gold seeker crossed the Sierras into California, came the forerunner of all—the fur hunter of the Far West.

In the preparation of this chapter, a number of unpublished manuscripts in the Bancroft Library have been supplemented by the following printed material:



1. Warner, J. J., *Reminiscences of early California*, 1831–1846 (Los Angeles, 1909), in Historical Society of Southern California, *Annual Publications*, 1907–1908.

2. Chittenden, Hiram Martin, *The history of the American fur trade of the far west* (New York, 1902), 3 v.

3. Irving, Washington, *The adventures of Captain Bonneville, U. S. A., in the Rocky Mountains and the far west.* (New York, 1856.)

4. Hill, Joseph J., *The old Spanish trail*, in the *Hispanic American Review*, v. IV, No. 3.

[redacted]

CHAPTER VIII

ADVERTISING AND IMMIGRATION—JOHN BIDWELL

THE significant work of the overland fur traders came to a close about 1840. During the next few years the course of California history ran along, in the main, with but little outward change from its regular routine. Cattle raising and the hide and tallow trade, with a little sea otter hunting along the coast and some beaver trapping in the interior, continued to be the chief occupations of the province. An occasional revolution gave temporary zest to domestic politics; while the mission establishments, secularized in 1834, sank further and further into hopeless and unfortunate decay.

The apparent sameness of these conditions, however, was purely superficial. Beneath the surface, clearly seen by interested foreigners and dimly sensed by the Californians themselves, the old régime was crumbling to pieces. Forces, which had about them something of the strength and swiftness of destiny, were about to supplant Mexican rule with that of the United States. By 1840, the old California, with its Spanish institutions and habits and background, stood close to the end of its tranquil, romantic day. A new order, whose fulfillment came with the Mexican War and the Treaty of Guadalupe Hidalgo, was already in the making.

After 1840, American interest in California, already aroused by the New England merchants and the western fur traders, received additional stimulus from other sources. One of these was the unfortunate condition of the Mexican Republic. Constant revolution and economic chaos in a country which, at best, could maintain only the feeblest control over so distant a province as California, assured the end of that control at no very distant date. The people and the govern-

ment of the United States consequently began to manifest increased concern in the future of the colony, and to consider what would follow when Mexican rule came to its inevitable end.

Another cause of increased American interest in California was the controversy, then nearing its climax, between the United States and Great Britain over the possession of Oregon. In the long drawn out, and at times very critical dispute over this territory, the nation's attention was focused upon the whole Pacific slope, and California received almost as much publicity from the agitation as Oregon itself.

Conditions in Texas, following the establishment of that republic, likewise reacted favorably upon the American advance to California. The easy victories of the Texan revolutionists, and such senseless atrocities as the invaders committed at Goliad, intensified the profound contempt of the west for Mexican authority and spread an outspoken ambition among the settlers of the frontier to "play the Texas game in California," and to emulate Houston's example by setting up a new republic on the Pacific slope.

The possibility of European intervention in California was also held before the American people constantly during this period, serving both as a motive and excuse for annexation sentiment. In this, of course, California enjoyed no unique distinction; for the danger of foreign encroachment, real or imaginary, has influenced virtually every acquisition of United States territory from the purchase of Louisiana in 1803 to the extension of American influence over Cuba and the Philippine Islands in our own generation. But in the case of California this influence, as will be explained later, was stronger and more direct than in most annexation movements.

Less tangible than the influences already mentioned, but certainly no less vigorous, was the factor so peculiarly typical of Jacksonian democracy—Manifest Destiny. This expression, though still to be found in our political vocabulary, does not now have the same meaning it formerly held for the great mass of our people, especially for those who lived west of the Alleghanies.

The influence Manifest Destiny once exerted upon the formation of public opinion and the appeal it once made to the nationalistic ambitions of our forefathers, can scarcely be appreciated by this present generation. The years from 1825 to 1850 constitute a period unique in many respects in American history. Before the first quarter of the nineteenth century was over, we had passed from the uncertainties and weakness of national childhood to the vigor and self-assertiveness of youth. In all our conceptions, in all our activities, there was a largeness, an assurance, a sort of unfettered, reckless energy that stamped itself upon the whole course of national development.

The patriotism of this period was never characterized by modesty or luke-warmness. We cried the superiority of our institutions and proclaimed our greatness from the housetops. Yet if our patriotism appeared boastful and smacked of primitive crudeness, it was never insincere. The generation that knew Henry Clay and Andrew Jackson was never chargeable with this, however its lack of restraint might offend the more refined taste of our own time. The men of that day, provincial though they may have been, loved the United States with the hot passion of youth. They cherished no illusion that democracy or freedom could live under any other form of government. They held an implicit faith, which acted upon them with the force of some deep religious conviction, in the unbounded future of the American nation. The expansion of the United States to the Pacific, the establishment of continent-wide boundaries, the absorption of California, the development of untold natural wealth that lay idle and neglected, the control of Oriental trade—this was the program that Manifest Destiny enjoined upon the American people in 1840. Some historians have found the program difficult of justification. Its influence, however, no one will deny.

Still another factor of primary importance in the annexation of California was the beginning of organized immigration from the western states shortly after 1840. The signifi-

cance of this movement, which of itself under normal conditions would have led to the acquisition of the province by the United States in the course of a few years, has been obscured by two events that struck directly across its course. The first of these was the Mexican War. This altered the whole aspect of California conditions, and hastened by several years (few or many, no one can say) the end of Mexican rule. The second was the gold rush of 1849, a migration of such stupendous proportions and so rapidly accomplished that the regular processes of settlement were completely submerged in it and lost sight of. The pre-war, pre-gold rush immigration, however, ought to be given a prominent place in the state's history. Not only was it a significant factor in arousing American interest in California, but it also furnished the basis for Polk's later diplomatic and military policy in the province. Above and beyond this, these first pre-pioneer settlers completed what the fur hunters had begun in the exploration of overland routes to the Pacific.

What forces lay behind this early emigration from the border states across so many hundreds of miles of unknown wilderness? What motives compelled men and women to leave a settled society and established homes and set their faces westward toward a land they had never seen and a people who spoke an alien tongue? The answer is simple. The same forces and the same motives, with little variation, that led the western pioneer across the Alleghanies, and from the Alleghanies to the Mississippi, and from the Mississippi into Texas, explain the coming of the first American settlers across the Sierras into California.

The frontiersman, once the Alleghanies were crossed, was never at ease, never satisfied, in a permanent abode. He wanted "elbow room," wide separation from his nearest neighbor, freedom from the restraints of society, a region in which game was abundant, and a place where he could do as he pleased. To obtain this freedom, he must always keep ahead of his more gregarious fellows; and as they advanced, he retreated farther and farther into the west. The career

of Daniel Boone, moving from Virginia to Kentucky, and from Kentucky to Missouri, is characteristic of this type of pioneer. The expression often ascribed to the old Kentuckian may, indeed, be apocryphal; but it aptly expresses the attitude of the class to which he belonged.

"I first moved to the woods of Kentucky," Boone is reported to have said. "I fought and repelled the savages and hoped for repose. Game was abundant and our path was prosperous, but soon I was molested by interlopers from every quarter. Again I retreated to the region of the Mississippi; but again these speculators and settlers followed me. Once more I withdrew to the licks of Missouri—and here at length I hoped to find rest. But I was still pursued—for I had not been two years at the licks before a damned Yankee settled down within a hundred miles of me."

The successors of Boone on the frontier, troubled as they were by the encroachment of "damned Yankees," and of other undesirables from the effete regions east of the Mississippi, after 1840 began to look to the Pacific coast as a place of escape. The hard times of Van Buren's administration stimulated this instinctive land hunger and craving for new scenes among the back settlers. In the meantime a very effective publicity campaign was directing their attention specifically to California. The "booster," indeed, is no recent product of the Golden State. Long before the advertisements of railroads, chambers of commerce, and modern real estate dealers began to attract "tourists" from the east and middle west, the charms and advantages of California were widely heralded throughout the United States.

Most of this early publicity dealt with the climate of California, the abundant supply of game in the province, the natural resources it possessed, and the wonderful agricultural possibilities that were to be found on every hand. Along with such an appeal went a picture, scarcely less inviting to the adventurous westerner, of the military weakness of the province and the decadent state of its inhabitants. To enable one to appreciate the effects of such advertising upon prospective immigrants and the American public as a

whole, a few quotations, chosen almost at random from the literature of the time, must be given.

So far as there is any record, the first American publicity agent for California was Captain William Shaler, whose narrative, appearing in 1808, has been referred to at some length in a preceding chapter of this volume.[1] Shaler's detailed description of the many advantages of California closed with a frank appeal for annexation.

"At great expense and considerable industry," he wrote, "the Spaniards have removed every obstacle out of the way of an invading enemy; they have stocked the country with a multitude of horses, cattle, and other useful animals; . . . they have spread a number of defenceless inhabitants over the country, whom they could never induce to act as enemies to those who should treat them well; . . . in a word they have done everything that could be done to render California an object worthy the attention of the great maritime powers. . . . The conquest of this country would be absolutely nothing; it would fall without an effort to the most inconsiderable force."

James Ohio Pattie was another enthusiast over California's possibilities, albeit his praises did not extend in the slightest degree to the Californians themselves.

"Those who traverse the province," he wrote, "if they have any capability of perceiving and admiring the beautiful and sublime in scenery, must be constantly excited to wonder and praise. It is no less remarkable for uniting the advantage of healthfulness, a good soil, temperate climate and yet one of exceeding mildness, a happy mixture of level and elevated ground and vicinity to the sea."

Among other accounts that made the name of California widely known during these years was Richard Henry Dana's *Two Years before the Mast*, first published in 1840. The author, who came to the California coast as a common seaman on one of the hide and tallow vessels, portrayed in his narrative the life and customs of the Californians with an

[1] See also Appendix B.

accuracy unsurpassed by any of his contemporaries. Incidentally, the book had about it a fascination of style that immediately gave it wide circulation and an established place in American literature. One of his chapters Dana concluded with the following paragraph:

"Such are the people who inhabit a country embracing four or five hundred miles of sea-coast, with several good harbors; with fine forests in the north; the waters filled with fish, and the plains covered with thousands of head of cattle; blessed with a climate, than which there can be no better in the world; free from all manner of diseases, whether epidemic or endemic; and with a soil in which corn yields from seventy to eighty fold. In the hands of an enterprising people, what a country this might be!"

Another enthusiastic admirer of California was Hall J. Kelley, an apostle of westward expansion who deserves a much wider fame than history has given him. Kelley, indeed, had within him a sort of missionary zeal, the essence of which was the settlement of the Pacific slope by American citizens. His travels, extending over a number of years, carried him through much of the country west of the Rockies and gave him first hand knowledge of conditions on the Pacific. While most of his active work was devoted to Oregon, his interest in California showed itself repeatedly in lecture and published article; for he was an indefatigable advertiser of the whole west. In a report on the Oregon territory, submitted to Congress in 1839, he devoted nearly half the alloted space to California, because, as he said, he thought the annexation of that province to the United States was a matter "sure of accomplishment and most earnestly to be desired." He concluded his description of the territory with this fervent wish:

"When I remember the exuberant fertility, the exhaustless natural wealth, the abundant streams and admirable harbors, and the advantageous shape and position of High California, I cannot but believe that at no very distant day a swarming multitude of human beings will again people the solitude, and that the monuments of civilization will throng along those streams whose

waters now murmur to the desert, and cover those fertile vales whose tumuli now . . . commemorate the former existence of innumberable savage generations."

To the praise voiced by Dana, Kelley, and others of this period, Thomas Jefferson Farnham, whose accounts of western scenes and experiences ran through many editions, added his extravagant commendation. The style of Farnham had in it too much of the "spread-eagle" to be particularly attractive to the present generation; but this made his publications all the more attractive to the readers for whom he wrote. The trans-Alleghany settlers of Farnham's day were not admirers of restraint. They liked the exaggerated, the highly colored in literature as in everything else, and accordingly found Farnham's *Life and Adventures in California* a book decidedly after their own tastes. From it they learned to despise the Californians as a weak, effeminate people, cruel and treacherous when opportunity arose, and to covet the rich empire over which they held such lax and temporary rule.

"California," wrote Farnham, "is a wilderness of groves and lawns, broken by deep and rich ravines, separated from each other by broad and wild wastes. Along the ocean is a world of vegetable beauty; on the sides of the mountains are the mightest trees of the earth; on the heights are the eternal snows, lighted by volcanic fires . . . . It may be confidently asserted that no country in the world possesses so fine a climate coupled with so productive a soil, as the sea board portion of the Californias, including the territories on the Bay of San Francisco and the Rivers San Joaquin and Sacramento. But its miserable people live unconscious of these things. In their gardens grow the apple, the pear, the olive, fig, and orange, the Irish and sweet potato, yam and the plantain most luxuriantly, side by side; and yet they sleep, and smoke and hum some tune of Castilian laziness, while surrounding Nature is thus inviting them to the noblest and richest rewards of honorable toil."

The effect of such accounts in bringing about the first waves of overland migration to California can scarcely be overestimated. Year by year publications of this kind

(some of which will be spoken of elsewhere) increased in number; and their influence was continually supplemented by newspaper articles, magazines, and lectures, or reports of returned travelers and explorers.

Through these agencies the people of the United States were taught to look upon California as a land of infinite promise, abounding in agricultural and commercial possibilities, so full of game that thousands of elk were annually slaughtered for their hides and tallow, rich in timber, blessed with a perfect climate, inhabited by an effeminate, unambitious people, and ruled over by an inefficient government. To the western settler, such a picture presented an irresistible appeal. Long before the stampede began for the mines—when every approach to the Pacific was crowded with the hurrying feet of the Argonauts—the trans-Mississippi frontier was already in motion, sending its restless children, on horse back and by ox wagon, over the long and dangerous trails to California.

The first of these organized emigrant parties to start for California left the western frontier barely eighty years ago—how rapid has been the course of American development! It originated in Platte county, Missouri, where the settlers had been aroused to such a high pitch of enthusiasm for the venture that they formed an organization, called the Western Emigration Society, for the purpose of enlisting recruits and providing a systematic program for the expedition. The immediate responsibility for this California fever lay at the door of a trapper named Robidoux, recently arrived from the coast with marvellous reports of what he had seen and learned. Robidoux, who appeared to be a "calm, considerate man," so impressed his Platte county hearers that he was asked to speak before a large assembly of interested settlers.

At this meeting Robidoux described California as a land of "perennial spring and boundless fertility." Innumerable herds of cattle and wild horses, he said, dotted the hillsides and grassy plains; oranges and other fruits grew in profusion; the authorities were friendly toward Americans,

and the people "the most hospitable on the globe." To an ague racked member of the assembly, whose idea of paradise was a land free from chills and fever, Robidoux gave the following assurance:

> "There never was but one man in California who had the chills. He was from Missouri and carried the disease in his system. It was such a curiosity to see a man shake with the chills that the people of Monterey went eighteen miles into the country to see him."

The effect of such descriptions upon minds already eager for change can readily be imagined. Robidoux's efforts were supplemented by letters from Dr. John Marsh, an American resident of California who had reached the coast with one of the Santa Fé trapping expeditions in the thirties. Marsh had taken up a large ranch near Mt. Diablo where he acquired a very considerable reputation and became one of the most influential foreigners in the province. His letters were published in local Missouri newspapers, and afterwards copied, in keeping with the system of news exchange then in vogue, by many other western journals.

The Western Emigration Society was also itself responsible for much propaganda in favor of the California movement. It corresponded with possible emigrants as far off as Kentucky, Indiana, and Arkansas and collected information relating to routes, methods of travel, and the status of foreigners in the province. Eventually the society circulated a pledge that bound its signers to meet the following May at Sapling Grove, in what is now eastern Kansas, suitably equipped and armed, ready to start for California. This pledge had not been in circulation a month before five hundred signatures were obtained for it.

Before spring came, however, this first enthusiasm had materially cooled. Land owners and merchants of Platte county, looking with some dismay on the threatened exodus of so many of the county's inhabitants, set about counteracting the movement with a good deal of vigor. Discouraging reports began to appear regarding the difficulties of the

route and the hazardous nature of the undertaking. Ugly stories were also circulated of the treatment Americans were receiving at the hands of California officials. And more effective still, sober second thought on the part of those at first so ready for the journey, seriously undermined the work of the California enthusiasts.

Accordingly, instead of the five hundred who were counted upon to make up the party, not more than sixty-nine put in an appearance at the rendezvous; and only one of these had signed the original pledge of the Emigrant Society. This was John Bidwell, a young man who had but recently come to Missouri from Ohio in search of health and a livelihood. The California venture so fired his interest that he became one of the chief organizers of the expedition and stuck by the project in the face of every discouragement. The same enthusiastic, determined spirit was later to bring him influence and well deserved honor in the land toward which he now set his face. Not inaptly has John Bidwell been called the "Prince of California Pioneers."

The company which met at Sapling Grove in May, 1841, to take up the long journey to California, could scarcely be described as an efficient organization. None of them were experienced "mountain men," or familiar with the first essentials of travel in the far west. Their ignorance of the route can best be described in Bidwell's words:

> "We knew that California lay west, and that was the extent of our knowledge. Some of the maps consulted, supposed to be correct, showed a lake in the vicinity of where Salt Lake now is; it was represented as a long lake, three or four hundred miles in extent, narrow, and with two outlets, both running into the Pacific ocean, either apparently larger than the Mississippi River."

So prevalent was this conception of western geography, that Bidwell was advised to take tools along with which to construct canoes for the navigation of one of these rivers from Salt Lake to the Pacific!

To the difficulty of ignorance was added the further complication of poor leadership. John Bartleson, who hailed

from Jackson County, Missouri, had been chosen company commander by popular vote; but it was understood that this choice was necessary to prevent the withdrawal of himself and his supporters, and the consequent disintegration of the party. The problems of the journey were intensified still more by the presence of fifteen women and children in the company.

Each member of the party supplied his own equipment, his own wagon and animals, his own provisions and arms. The motive power was furnished by horses, mules, or oxen, as the individual chose. Food was limited to the essentials —flour, sugar, salt, coffee and the like—but each person was supposed to have enough to satisfy his own needs. Money was almost entirely lacking—so much so, indeed, that the entire party possessed less than a hundred dollars in actual cash.

Doubtless the expedition would have come to early ruin had it not been fortunate enough to secure, for part of the way, at least, the services of two very useful men—Thomas Fitzpatrick, the famous Rocky Mountain trapper; and Father De Smet, pioneer Catholic missionary bound for the Flathead Indians of Idaho. So long as such assistance and leadership were available the untrained emigrants got on with little difficulty.

From the vicinity of Westport, the modern Kansas City, they pursued a northwest course to the Platte. This they followed to the South Fork, along which they continued until a ford allowed them to pass to the other branch of the main stream. Following the North Platte, they came at last to Fort Laramie in what is now Eastern Wyoming; later they passed Independence Rock and turned to take the Sweetwater to the Rockies. Crossing through the South Pass, the party followed the Little and Big Sandy to Green River; changed their course here somewhat to the northwest until it closely paralleled the present route of the Oregon Short Line; crossed the divide between Bear and Green Rivers, at the head of a tributary of the latter stream named Ham's Fork; and so came to Soda Springs, not many miles from the modern city of Pocatello, Idaho.

Up to this point the journey had been marked by no extraordinary hardships. Of course the emigrants had experienced difficulties and much hard work, especially in getting wagons through a country where wheeled vehicles had only once gone before. Nearly ten years earlier Sublette had taken a loaded wagon to the Green River rendezvous and brought back a fortune in furs. Time, however, had obliterated nearly every trace of his passage, though here and there the faint mark of a wheel was still to be seen by the emigrant party.

A false alarm of Indian attack, not without its ludicrous side; a cyclone that threatened total destruction, but passed harmlessly by; the never ending wonder of the buffalo herds which blackened the plain "for several days' journey as far as the eye could reach"; the loss of one man by gunshot wound, and of four others who turned back or stopped on the way; the nightly encampment with the wagons coupled together to make a hollow square; the inconveniences, or pleasurable excitements of each day's march; the shifting scenery, the gradual change from prairie to uplands, the sight of snow clad mountains in the distance; and then the slow passage of the Rockies, until the old life became a thing of the past, and a new land lay unfolded before them—thus, in brief, the first stage of the journey was passed.

At Soda Springs, the second stage of the expedition, distinguished chiefly by hardships and privation, began. Here Fitzpatrick and De Smet turned northward to Fort Hall and the Flathead Indians. Along with them went thirty-two of the emigrants, who preferred to seek an outlet to the Pacific by way of the Columbia, rather than risk the unknown route to California. Among this number were most of the married men with their families; but at least one brave woman, Mrs. Benjamin Kelsey, and her little daughter remained with the original party. Of such stuff and heroism was the pioneer motherhood of California!

Without the aid of skilled leadership, the company, now reduced to less than half its original number, started from Soda Springs on its determined quest for California. The

route over which they must go was unknown, except by hearsay, even to Fitzpatrick. Jedediah Smith and Bonneville's men, as already narrated, had sometime before crossed the desert regions between the Sierras and the Salt Lake, but no one knew exactly where. Four of the emigrants, who went to Fort Hall for information, could obtain no more satisfactory instructions than to bear as nearly west as possible after leaving the lake. If they went too far south, they were told, they would reach a desert region and die for lack of water; if too far north, they would lose themselves in a broken, desolate country where more than one trapping party had met an unknown fate.

With this indefinite and disheartening information to guide them, the party, already a hundred miles from Soda Springs when the four men who had gone to Fort Hall rejoined them, set out for the Sierras. Their journey across the Utah and Nevada wastes was one of unbroken hardship. The salt plains bewildered and almost famished them. On several occasions they travelled twenty-four hours without water. The mirage misled them, with the most pitiless deception of which Nature is capable. Finally, because it was necessary to make all possible haste in reaching the Sierras before winter set in, they abandoned their wagons and much of their baggage, and packed the remainder on such animals as remained alive.

Their saddles were hastily made, the animals untrained to the business, and the emigrants unskilled in the very difficult art of balancing a load and holding it in place with sling and hitch. Confusion followed the first experiment. The packs slipped, and the animals became frightened and scattered the baggage to the four winds. Even when by degrees the loads were put on a little more securely, delays were frequent; and as the oxen could not keep up with the faster walking mules and horses, the company became scattered along the whole extent of each day's march. Luckily the Indian tribes through which the expedition passed were inoffensive creatures, or the entire party would have been wiped out.



Reaching the Humboldt River, the company, many of whom were now on foot, pressed on down the stream until Bartleson and eight others on horseback one day deserted the main band and struck out by themselves for California. The rest of the train, some twenty-five in number, weakened by privation and almost out of provisions, faced a gloomy prospect. Before them stretched an unknown, barren, almost desert country, where thirst and hunger were certain to cause delay and suffering, if, indeed, they did not take some toll of human life. Beyond this region, but how far none could say, the giant Sierras stood like a barricade to shut off all approach to California. To cross these mountains after the winter snows set in, was impossible. Not to cross them, meant death to every member of the party through starvation.

It was already well along in September. So, making what haste they could, travelling eighteen or twenty miles a day, the emigrants pushed on to the dreary, alkaline lake known as Humboldt Sink. They then turned southward to Carson River; and a little farther on came to the Walker, or the Balm, as they appreciatively called it. This stream they followed to its outlet from the Sierras. Here they killed the last of the oxen and jerked the meat, preparatory to the crossing of the mountains. While the party were thus engaged, the Bartleson contingent, who had taken such uncermonious leave on the Humboldt, came slowly straggling across the plain. They had accomplished nothing by their desertion of the main party, except to wander as far south as Carson Lake. Most of them, moreover, were suffering the unpleasant effects of an ill-advised diet of diseased fish and piñon nuts, and were in a serious condition.

The reunited company, ascending the Sierras on the north side of the Walker, came at last to a little stream which flowed westward instead of toward the east. This proved to be the headwaters of the Stanislaus, one of the largest tributaries of the San Joaquin. The course of the river through the mountains was too rough and precipitous to furnish an easy route of travel. The emigrants became

entangled in gorges and cañons, some of which were more than a mile in depth, and had to abandon many of their animals.[1] Food became scarce; so they ate crows, wild cats, and anything else they could lay hands on. One member of the party separated from his companions, and was not heard of again until he reached, in some miraculous way, the establishment of John A. Sutter, where Sacramento now stands.

The horses and mules that still survived were so weak they could scarcely travel, and the emigrants, as they dragged themselves down the last weary ridge of the Sierras, were too worn out with fatigue to realize that the San Joaquin Valley lay before them; and that California itself was at hand. Some of them, indeed, even when they reached the floor of the valley, thought that California must be still five hundred miles away! Bidwell thus describes how the party came to the San Joaquin:

"When morning came the foremost of the party waited for the others to come up. They had found water in a stagnant pond, but what was better, they had shot a fat coyote and with us it was anything but mule meat. As for myself, I was unfortunate, being among those in the rear and not aware of the feast in the advance. I did not reach it in time to get any of the coyote except the lights and the windpipe. Longing for fat meat and willing to eat anything but poor mule meat and seeing a little fat on the windpipe of the coyote, I threw it on the coals to warm it and greedily devoured it.

"But halcyon days were at hand. We turned directly to the north to reach what seemed to be the nearest timber. This was at a distance of ten miles or so, which in our weakened condition it took us nearly all day to travel. It brought us to the Stanislaus River at a point not far from the foothills. Here the rich alluvial bottom was more than a mile wide. It had been burned over, but the new grass was starting up and growing luxuriously but sparsely, like thinly sown grain. But what gladdened our eyes most was the abundance of game in sight, principally antelope. Before dark

[1] Bidwell, on a scouting expedition, came upon one of the huge overturned *Sequoia Gigantea* of the Calaveras Grove—the first white man known to have seen a specimen of the "Big Trees."

we had killed two of them and two sand-hill cranes, and besides there was an abundance of ripe and luscious wild grapes. Still we had no idea that we were yet in California, but supposed we had yet to cross the range of mountains to the West."

Within a few days, however, this dreary illusion was dispelled, and by the aid of an Indian guide the party came to the ranch of Dr. John Marsh, some six miles from the foot of Mount Diablo. They reached this November 4, 1841, after having spent six months on the long and dangerous way. Here the company separated and soon became widely scattered throughout the province. Some of the Americans were arrested by General Vallejo at San José; but the arrest in most cases was a mere formality. Bidwell, however, because of Marsh's failure to secure a passport for him, as he had done for the others, was held for three days in the San José jail. No food was given him; and the fleas in his cell were "so numerous as to darken anything of a light color." Yet even Bidwell's imprisonment was merely the result of official oversight; and as soon as his predicament became known, General Vallejo issued the necessary passport and ordered his release.

A number of the volumes used in the preparation of this chapter have already been referred to in the body of the text. The account of the Bidwell expedition is based on the Bidwell manuscript (*California, 1841–8*), in the Bancroft Library.



CHAPTER IX

IMMIGRATION AND TRAGEDY—THE DONNER PARTY

A NUMBER of the Bidwell party, shortly after their arrival on the coast, found their way northward to the recently erected settlement of New Helvetia in the Sacramento Valley. This establishment, semi-military and semi-feudal in character, was founded and ruled over by John A. Sutter, one of the most interesting figures of early California history. Sutter was born of Swiss parents in the Duchy of Baden in the year 1803. When a little over thirty years of age he came to the United States and lived for a time with one of his countrymen in Indiana. A year or two later he drifted on to St. Louis, where he engaged in an unsuccessful trading venture to Santa Fé. After this he joined a trapping party to the Rocky Mountains, and subsequently pushed on to the Pacific by way of the Columbia.

By this time Sutter had conceived the plan of founding a colony in California. Sailing to the Sandwich Islands, he secured some aid from Americans resident there, and a few Kanakas to assist him in the undertaking. He at length reached the California coast (by way of Alaska) in 1840, and secured permission from Governor Alvarado to carry out his project.

At that time the Sacramento Valley, while known to the Californians, was neither fortified nor settled. The Indians, both in the valley and in the surrounding mountains, had long been a menace to the ranches on the coast, upon which they made frequent raids, driving off large numbers of horses and cattle almost with impunity. A colony, such as Sutter proposed to establish, would check this practice with no expense to the provincial treasury, except the grant of a few leagues of unoccupied wilderness land. Sutter selected

as the site of his colony a tract lying along the Sacramento River, about two miles from where that stream receives the waters of the American. Here he proceeded to carry out his very ambitious plans. With the aid of his Sandwich Islanders, some native Indians, and the few foreigners who joined him from time to time, he began to lay the foundation for what he hoped would one day become an independent state.

Not long before the arrival of the Bidwell contingent, Sutter had bought out the Russian colony of Bodega, securing through his purchase a good deal of valuable personal property, some very shadowy land claims that brought him nothing but trouble, and an ever pressing debt for nearly a hundred thousand dollars. Among the most useful of the Russian effects were a small launch, a considerable number of horses and cattle, and some forty odd pieces of ordnance, of many types and sizes, and all of it in various stages of dilapidation.

This artillery, however, was probably superior to anything possessed by the regular forces of the province, and gave Sutter a very considerable military prestige. Within a few years, indeed, he was not only able to make himself master of the surrounding Indian tribes, but also to defy any attempt the California officials might make to oust him from his position. And while Sutter's relations with the government were generally of the most friendly character, it was clearly seen, both in Mexico and in California, that his control of the frontier made him a potential menace to all local authority.

A very pretentious fort added to Sutter's security and gave New Helvetia a decided military character. This fort was a quadrangular structure built of adobe brick. It mounted twelve guns and could shelter a thousand men. An armed garrison was regularly maintained, sentries were on guard continually, and military drill was held each day.

In addition to Sutter's military activities, he displayed a vast amount of energy in more peaceful endeavors. To care for the ever growing needs of his colony, and especially

to meet the pressing demands of his Russian debt, he branched out into a great variety of pursuits and tried all sorts of experiments, most of which impoverished, rather than enriched him. He planted large areas to wheat; built a flour mill; diverted water from the American River for irrigation purposes; grazed large herds of cattle and horses; sent hunters into the mountains and along the rivers for furs and elk skins; set up a distillery; began the weaving of coarse woolen blankets; ran a launch regularly for freight and passengers between his settlement and San Francisco Bay; employed nearly all foreigners who came to him for work, whether he needed them or not; trained the Indians to useful occupations; at times chastised the thieving, war-inclined tribes which the Spanish Californians could not subdue; administered justice as an official of the provincial government; and, in short, made his colony the nucleus of all activity, whether political or economic, in what was then the only settled portion of interior California.

In addition to these varied activities, with their decided local and personal interest, Sutter contributed in a much larger way to the making of California history through his aid to American immigration. Few people today realize how large a part this hospitable, visionary, improvident land baron of the Sacramento played in the American advance to California. His fort occupied the most strategic position in all Northern California, so far as the overland trails were concerned, and became the natural objective for parties crossing the Sierras, by the central and northern routes, or coming into the province by way of Oregon.

At Sutter's, these immigrants, exhausted and half-starved as many of them were, found shelter, food and clothing, and an opportunity to learn something of the new land and people to which they had come. More than one company, caught in the mountain snows, was saved from destruction by a rescue party sent from Sutter's Fort. The situation of the latter also made it impossible for the California authorities, had they been so inclined, to check or turn aside the stream of overland migration. The passes and

trails of the northern Sierras lay open to American frontiersmen so long as Sutter maintained his position on the Sacramento.

The arrival of the Bidwell-Bartleson company at Marsh's ranch ushered in, as already noted, the period of organized immigration to California. Almost contemporaneous with the coming of this party, some twenty-five emigrants, recruited partly in Missouri and partly from American residents in New Mexico, reached Los Angeles by way of the Gila and the Colorado. This company was known, from the names of its leaders, as the Workman-Rowland party; and while Bidwell and his companions for the most part settled along the coast north of Monterey, or in the Sacramento Valley, the immigrants who came from Santa Fé established themselves in the south. Here many of them, like Rowland and Workman, the leaders, and Benjamin D. Wilson, the first mayor of Los Angeles under American rule, acquired large grants of land, upon which they dwelt in entire harmony with the California authorities and became respected citizens of the province.

Other parties were not slow to follow the lead of Bidwell and of Rowland. In 1843 a company consisting of thirty or thirty-five members, reached New Helvetia from the Willamette Valley, travelling by way of Rogue River, Shasta, and the Sacramento. The original expedition, of which these California immigrants were only a part, left Independence, Missouri, in 1842 and reached the Columbia over the Fort Hall route in October. Here, however, the constant rains, for which Oregon has long enjoyed a distinctive reputation, proved too much for over fifty of the party, who consequently sought a somewhat less saturated climate farther to the south.

Indian difficulties and other discouragements, however, disheartened about a third of the California contingent, who turned back near Rogue River, leaving their companions to finish the journey as best they might. The company, though thus considerably reduced in number, arrived at Sutter's Fort early in July, after one or two serious encounters

with hostile natives. Once at New Helvetia, the immigrants immediately drifted apart, some going to the coast, some taking up land in the Napa Valley (where Yount, one of the trappers of Pattie's party, had settled), and others finding employment with an American named Stephen Smith, who had begun the construction of the first steam grist and saw mills in California, near the old Russian settlement of Bodega.

The leader of this company, Lansford W. Hastings, was something more than ordinary settler. Like Hall J. Kelley, he was a Pacific Coast enthusiast, a propagandist, almost a professional organizer of western emigrant parties, and a descriptive writer of unusual ability. For several years he was engaged in presenting the attractions of California to the American people and in leading companies from the western states across the Sierras. Not only was he familiar with most of the established overland routes, but even added his contribution to the work of the explorers in opening up a more direct way, known as Hastings' Cut-Off, from the Great Salt Lake to the Humboldt. Following the expedition of 1843, Hastings became involved in the Mormon plan of sending a colony to the coast. Moreover, from beginning to end, his mind was busy with a scheme to bring about the independence of the province and to set up a republic on the Pacific. The model he set for himself in carrying out this program was Sam Houston of Texas.

A second expedition to reach California in 1843 was the so-called Chiles-Walker party. This company, consisting at first of approximately thirty men, besides a considerable number of women and children, left Independence, Missouri, under command of Joseph B. Chiles, a former member of the Bidwell-Bartleson party of 1841. After a short stay in California, Chiles had returned to Missouri for the express purpose of organizing a new company for the overland trip; and the party he led out of Independence was chiefly the result of his efforts along this line.

The company, somewhat better equipped than most expeditions, carried their belongings in wagons instead of

on pack animals. With them they took not only ordinary household goods; but also, heavy furniture, farming utensils, and even a complete outfit for the erection of a saw mill on the Sacramento!

Leaving Independence in May, they followed the usual route to Fort Hall, which they reached without special incident. Here, however, the company divided. A small party consisting only of men under the command of Chiles, turned northward to Fort Boise for supplies; while the main expedition pursued a more southerly course under the guidance of Joseph R. Walker, the trapper who had first entered California ten years before.

The men under Chiles reached Sutter's Fort without serious mishap, though unfortunately little is known of the incidents of this part of the journey. Crossing from Boise to the Sacramento by way of the Malheur and Pitt Rivers, they entered California over a previously unexplored route and one seldom used by subsequent immigrant parties.

The main company, following the lead of Walker, crossed from Fort Hall with their heavily laden ox wagons to the Humboldt river. This they followed, in keeping with the usual practice, to its sink in western Nevada. Thence turning south, the party struck Walker Lake; but made no attempt to follow the route by which the Bidwell party had crossed the Sierras two years before. Instead, they held a course running to the south, through difficult mountainous, or semi-desert country, until they came to the large alkaline body of water now known as Mono Lake. Flowing into this lake from the Sierras were a number of clear running streams, one of which was given the name of Walker Creek. A long meadow, running parallel to the lake, furnished an ample supply of nutritious grass for the oxen.

From Mono Lake, the emigrants' course lay over a succession of sandy ridges, very discouraging to the slow moving caravan, until the crest of a pine-clad ridge gave them outlook upon one of the fairest sights in all California. Before them a river, clear as crystal, ran in great loops through a pleasant valley sloping gently to the south. The

floor of this valley was covered with green grass, and dotted here and there with herds of elk, deer, and bands of antelope. To the left, as the emigrants looked down the course of the valley, rose a range of brown-gray mountains, almost devoid of trees and other vegetation, but with an occasional snow bank clinging to the sides of some unusually high peak. To the right, white-capped, rugged, beautiful beyond the power of words to describe, stood the impenetrable wall of the Sierra Nevada.

Down this valley, which Frémont two years later called Owen's Valley in honor of one of his own men, Walker led the members of his company. Grass was plentiful and frequent ice cold streams flowed from the mountains across the emigrants' course. As the caravan neared the lower end of the valley, however, the way became more difficult. Wide sandy stretches impeded their progress, and boulder-strewn tongues shot out from the base of the mountains, forcing the wagons to make many tedious detours. At last, near a lake into which the river emptied (afterwards known as Owen's Lake), the company were compelled to abandon their wagons and pack such goods as they were able to carry upon the backs of the horses and oxen. The heavy mill machinery was buried in the sand, where twenty years later a band of prospectors were greatly mystified by its discovery.

Some days' journey beyond Owen's Lake, the company entered the pass by which Walker had led the Bonneville hunters out of the San Joaquin in 1834, and to which he had given his name. Through this broad gateway the Sierras were successfully crossed, without the impediment of snow or other serious inconvenience.

On the California side of the mountains, however, intense suffering awaited the emigrants. In seeking to reach the western side of the San Joaquin Valley,[1] the company found themselves caught in hot, choking alkali wastes, where for a hundred miles there was almost no water, and where the

[1] The western outlet of Walker Pass lies about 60 miles northeast of the modern city of Bakersfield.



THE SIERRA DIVIDE



heavily impregnated dust seemed to eat out the tissues of the lungs and dry up every particle of moisture in the body. By the time they came to the Coast Range there was little life left in any of them; but on one of the tributaries of the Salinas River, they found a welcome taste of paradise. Here lay a small valley, known probably to Walker for many years, where there were grass, trees, and water in abundance, and where game was as plentiful as heart could ask. After a few weeks of recuperation in this pleasant spot, the company finished the last few miles of its long journey, reaching the Gilroy Rancho, near Monterey, in January. Here the emigrants separated. Before long, like the companies which had preceded them, they were to be found in various parts of California, a welcome reënforcement to the foreign population of the province.

During the years 1843 and 1844, other parties followed those already enumerated in this chapter. In some cases the expeditions came by way of Oregon; but more frequently they took the shorter route from Fort Hall to the Sierras and crossed into California by whatever pass they were fortunate enough to discover.

One of the most important of these companies was the Stevens-Murphy party, which consisted of over fifty men, besides women and children, when it left the Missouri in May, 1844. At Fort Hall about half the emigrants turned north for Oregon, but the remainder took the fairly well defined trail to the Humboldt River.

From the sink of this river, the party, instead of seeking Walker Pass as Chiles and his companions had done the preceding year, crossed southwest directly to the Sierras and entered California by way of the Truckee River and Bear Creek. The passage of the mountains was made in the late fall and early winter, and was consequently accompanied by very considerable hardship. A division of the company took place near the summit, at the beautiful lake which two years later witnessed the slow tragedy of the Donner party. Because of this division, the emigrants did not all reach Sutter's Fort at the same time. But by good fortune the

early snow fall was light, and the last of the train were out of the mountains before the way became impassable.

The Stevens-Murphy party, aside from ante-dating the forty-niners by half a decade, claim distinction along two other lines. They were the first immigrants to take wagons all the way from the western states to the settled portions of California; and they were probably the first Americans to reach the Sierra divide by way of the Truckee River, thus opening the most central of the immigrant trails and discovering a route of which the first transcontinental railroad afterwards made use.

During the year 1845 at least 250 persons reached California by the overland trails. To narrate the trials and vicissitudes of the five or six parties to which these immigrants belonged, would be to repeat in large measure what has already been said of previous companies. The story of every early expedition to California is an epic of romance and adventure well worth the telling, if this can be done at proper length. But where lack of space forbids narration in detail, little can be gained by attempting a mere summary of each expedition.

Without seeking, therefore, to describe the experiences of these various parties, it will be sufficient merely to mention the more important of them by name. Under the leadership of James Clyman, one of the Bidwell-Bartleson company of 1841, forty-three Oregonians left the Willamette in June, reaching Sutter's about the middle of July. In this company was a man of no particular distinction named James Marshall, who some years later, by a chance discovery, set the whole world agog.

A month after the arrival of the Clyman party, thirteen young men, commonly spoken of as the Swasey-Todd company, crossed the Sierras by the Truckee route into the Sacramento Valley. In the fall, one of the Sublettes made his appearance at Sutter's in charge of fifteen men, who had accompanied him from St. Louis. The party was exceptionally well equipped with oxen and wagons, and nearly all the members had rather unusual reserves of ready money.



A few days later, the advance guard of the largest company of the year began to arrive at New Helvetia. This party, known as the Grigsby-Ide party, consisted of over a hundred persons. It left Fort Hall in August and reached the Sierras over the Humboldt-Truckee route without special incident. Once at the crest of the mountains, however, the company forgot all sense of union; and each family struck out for itself to reach the long sought California. In the mad scramble that followed, some wagons were left far behind; and from the 8th of October to the 25th the members of the scattered train came straggling into Sutter's hospitable establishment.

One other company came to California before the year closed. This was led by the potential filibuster and explorer, Lansford W. Hastings. It left Independence late in August, with twenty-two or twenty-three members. Because of the lateness of the start and certain unexpected delays, the crossing of the Sierras was attended with very grave danger. But since the company consisted only of men, they were able to reach the plains a day or two before the passes became snow-blocked for the winter. The party arrived at Sutter's on Christmas Day, where the holiday feast proved a welcome contrast to the hunger and privations suffered in the mountains. Besides Hastings, at least one other member of this party acquired some measure of fame in later California history. This was Robert Semple, who, among other claims to distinction, could boast a remarkable stature. He was six feet, eight inches tall.

The arrival of these various overland companies, and the coming of some settlers by sea, materially increased the foreign population of California. The actual immigration, however, fell far short of the numbers that rumor said were on the way. Both in California and in the United States, the air was thick with stories of a westward migration that in a year or two would populate the entire Pacific Coast and displace the Mexican control of California.

In the spring of 1845, for instance, it was commonly reported that seven thousand persons were assembled at

Independence prepared to take the road for Oregon and California. A few months later, Sutter predicted the arrival of "more as one thousand souls" before the end of summer, and of other thousands within the year. Well informed American residents of the province also thought that two or three thousand of their countrymen would be in California before the close of 1846. At various times, more exaggerated rumors spread along the coast that ten or twenty thousand emigrants were already westward bound; and a far-visioned editor of the New York *Sun* foretold the coming of a hundred thousand persons by the spring of 1846!

Behind these estimates, exaggerated as they appear, were a number of sober facts that gave color to all but the most fanciful of the predictions. Not only was actual immigration assuming considerable proportions; but several forces, quietly working to stimulate the settlement of California by Americans, gave every indication of early success. The United States government, through its exploring expeditions,[1] furnished invaluable information to prospective emigrants and also lent a semi-official encouragement to the American settlement of the province. More important still, the active propaganda begun some years before by American residents of California to draw settlers to the coast, was now at flood-tide and its effects were everywhere evident throughout the American States.

Some of the propagandist literature of 1845 and 1846 was in book form—a type best represented by Alfred Robinson's readable and widely circulated *Life in California*. The author had been for many years resident agent of the Boston firm of Bryant and Sturgis; and though the volume first appeared anonymously, it was known to have been written by some one thoroughly familiar with California life. The book was published in the early part of 1846 and immediately created a profound impression. Its effect can best be summed up in the words of a review in Hunt's *Merchant's Magazine*.

[1] See Chapter XI.

"When we reflect," said the writer of the article, "that the superb region of California is adequate to the sustaining of twenty millions of people; has for several hundred years been in the possession of an indolent and limited population, incapable from their character of appreciating its resources—that no improvement can be expected under its present control, we cannot but hope that thousands of our fellow countrymen will pour in and accelerate the happy period (which the work before us assures us cannot be far distant) when Alta California will become part and parcel of our great confederation; and the cry of Oregon is only a precursor to the actual settlement of this more southern, more beautiful, and far more valuable region."

Other magazines and newspapers, such as Nile's *Register*, the *North American Review*, the *Journal of Commerce*, and the New York *Sun*—to mention only a few at random—aided materially in this California publicity campaign. In the eastern states there was much talk of a trans-continental railroad (for Asa Whitney's plan had already been laid before Congress), with its terminus at Monterey; and various routes from the Mississippi Valley to the Pacific began to be spoken of in the daily papers. The vacant lands of the province also came in for much favorable comment; and young men, long before Horace Greeley's classic admonition, were urged to emigrate to California and grow up with the country. The inducements to land-hungry or adventurous spirits along this line were certainly not unattractive.

"A foreigner," said a typical article in the New York *Sun*, "can become a citizen of California by obtaining two signatures to his petition. He then possesses the right to take up vacant land, and may secure as much as eleven square leagues upon the payment of twenty-six dollars in fees. Many grants held by such owners are thirty three miles long by three miles wide."

The newspapers of the extreme western states not only concerned themselves with articles descriptive of California's resources and attractions, but also published everything obtainable regarding emigration to the province. The opening of some short-cut or a new route; the departure



of an overland train; or the organization of a California company were subjects in which every western editor showed decided interest. Not infrequently, for example, such an item as the following would appear in a local newspaper, to be widely copied and commented upon by other papers of the frontier:

"*FOR CALIFORNIA*—A large party of settlers propose to leave Arkansas for California, next May. The chairman of the Committee of Arrangements gives notice in the Little Rock Gazette that the Californians will rendezvous at Fort Smith, Arkansas, on the first Monday in April next, preparatory to taking up the line of march for the Pacific Coast. Every person starting is expected to be well armed with a rifle or heavy shotgun, sixteen pounds of shot or lead, four pounds of powder, etc."

The inspiration for much of this California publicity came from California itself. In the province were several Americans, eager, for various reasons, to hasten the tide of immigration. Nearly all of these carried on a regular correspondence with friends still resident in the "States," writing in such a vein that their letters would find ready publication in local newspapers, and perhaps in more widely circulated magazines, as well.

One or two of these interested Americans, moreover, wrote directly for eastern publications, and were in fact responsible for a large part of the information regarding California matters which reached the United States before the Mexican War. By far the most important service of this kind was rendered by Thomas O. Larkin of Monterey. Reaching California in 1832, Larkin had built up an important commercial and trading business along the coast, and in 1843 was appointed United States consul to California.

Since Larkin was thoroughly acquainted with the economic and political conditions of the province, his letters were eagerly sought after by a number of the best known American newspapers when public attention began to turn to California. The New York *Sun* made him a regular correspondent; and the New York *Herald*, the *Journal of*



Commerce, and the Boston *Advertiser*, all published his letters at frequent intervals. Of the practical nature of Larkin's articles from the settler's standpoint, the following serves as an illustration:

"Emigrants leaving Independence for the Pacific" he wrote, "should furnish themselves (if a family of five or six persons) with one good wagon, four or five yoke of oxen, three or four cows, three horses, and to each grown person 250 lbs. of flour, 150 lbs. of bacon, 30 lbs. of coffee, 50 lbs. of sugar, 20 lbs. of rice, two good blankets, and a few cooking utensils. Every male person over fourteen years of age should have one good rifle, 10 pounds of powder, 20 pounds of lead, 2000 percussion caps and a good horse. On arriving on the banks of the Sacramento and finding a convenient piece of land that the emigrant can occupy, he should begin sowing wheat from December to February; beans, peas and corn in April or May, and should also procure for himself cows two years old, worth from $4.00 to $5.00; young bulls at $2.00 or $3.00; thirty or forty mares at $5.00 or $6.00; a stallion at $15.00 or $20.00; and a few sheep at $2.00 each. One hundred young cows will produce from seventy to ninety calves between the second and twelfth months; from one thousand to fifteen hundred dollars in cash will start an enterprising man in breeding animals for a California farm.

In a few years the settler may find purchasers for produce from among the emigrants and throughout the country. In time he will find a market in the Sandwich Islands, North West Coast, San Blas, Mazatlan, and elsewhere. Wheat produces from forty to fifty fold under the most imperfect cultivation. The Spanish Padres for many years obtained one hundred fold at some of the missions. One hundred and eighty fold was once gathered at the mission of San José. Wild oats and mustard cover the country, the former from three to four feet high, the latter so high and compact that it is impossible for a traveller to find his horses when they stray among it. Rye and Buckwheat have not been proved. Hemp was raised by the former Padres. Cotton has been proved to advantage, but no quantity has been planted. Every kind of vegetable yet planted has produced well. Apples, pears, quinces and peaches are common all over California. In parts of the country there are limes, oranges, almonds, figs and walnuts. Plums and cherries have not been introduced. Grapes of the very best quality are found in the greatest abundance in different sections

of the country. Latitude south of 34 degrees produces the best. With imperfect means good wine could be produced and distilled. The climate of California is surpassed by no other. The lowest rate of the thermometer in the shade at Monterey in 1845 was 44 degrees, the highest 86 degrees; from 60 to 70 is the common rate throughout the year."

Besides this campaign of education, the American residents of California found at least one other field for their activities. It will be recalled that Fort Hall occupied a most strategic position on the route of travel from Missouri to the coast. Here the trail to the Pacific divided, one branch leading on to Oregon, while the other ran to California. Most of the western emigrants started from the Missouri with Oregon as their objective; but at Fort Hall they were sure to meet discouraging reports of the northern country and of the route thither. California, on the contrary, they heard spoken of only in glowing terms; and as a consequence many a settler changed his destination from the Columbia to the Sacramento. In this method of obtaining recruits the efforts of the California enthusiasts were supplemented by the officials of the Hudson's Bay Company at Fort Hall, who wished to keep the northwest territory unoccupied as long as possible. Naturally, the Oregon supporters did not take kindly to the arrangement, and accordingly organized a committee to counter-act the California propaganda.

The publicity which California received during 1845 and the early part of 1846, was expected, as already indicated, to bear large fruit. Nor is there any question but that these expectations would have been in large measure realized had the Mexican War not altered the whole course of California history and temporarily diverted the stream of immigration. Even before the outbreak of this conflict, apparently well founded rumors spoke of the planting of a great Mormon colony west of the Sierras; and after the opening of hostilities, more than one company of determined settlers pushed their way across the mountains.

To this period belongs, in many respects, the most tragic

story of California annals. In the early spring of 1846, a party of nearly a hundred persons, organized chiefly in Sangamon County, Illinois, by George and Jacob Donner and James F. Reed, left Independence, Missouri, on the trail to California. On the road, this company was joined by several smaller detachments until at one time it consisted of nearly two hundred persons. Nothing occurred on the route of unusual incident until the emigrants reached Fort Bridger. Here, after four days of discussion, the party divided, the larger number of emigrants going by way of Fort Hall, while the remainder, eighty-seven in all, decided to take the newly discovered Hastings' Cut-Off along the south side of the Salt Lake, re-uniting with the Fort Hall route on the Humboldt.

With the larger company all went well. Following the somewhat longer, but well known, clearly defined route, they reached California in safety and without noteworthy hardship. The smaller company, with George Donner in command, met with no such fortunate escape. In seeking to reach the south side of the lake, so many formidable obstacles were encountered that nearly a month of precious travelling time was lost, and the strength of men and animals alike so seriously reduced as to render progress for the rest of the journey extremely slow.

Autumn was already at hand before the company left the vicinity of the lake to cross the wide intervening desert and the Sierra Nevada into California. So late in the season, the passage of the mountains was accompanied by extreme risk, which a slight mischance might easily turn into overwhelming disaster. Among the Donner emigrants conditions were ripe for such an eventuality. The stock was worn out, food was scarce, and the nerves of men and women frayed almost to the breaking point.

Criticisms and quarrels, at least one of which resulted in a dismal tragedy, became the accepted order. Through misfortune and inefficiency so many cattle were lost that wagon after wagon had to be abandoned and many of the women and children compelled to walk. One or two deaths oc-

curred, and the whole caravan was on the verge of starvation when they were met, near the present site of Reno, Nevada, by a relief party sent out by Sutter at the request of two members of the expedition who had gone on ahead to secure aid. Under favorable conditions the food thus obtained would have carried the emigrants across the Sierras; but a few days' delay to rest the cattle, and an early fall of snow, prepared the way for the final tragedy.

Late in October the company had succeeded in reaching a camp on Prosser Creek, three miles from the modern Truckee City. Here the snow caught them, before its normal time. In the face of this catastrophe the emigrants lost their self-control. Each family sought safety after its own plan. Unity and co-operation were forgotten. Wagons pressed forward or remained behind, as individual judgment decided or necessity determined. By November first, however, most of the company had reached the shores of that beautiful lake which the tourist sees today from the Central Pacific trains that wind above it.

Beyond this lake, for most of the emigrants, there was no escape. Sutter's Fort, with its abundance of food, and the warm, fruitful plains of the Sacramento lay a hundred miles away. The intervening mountains were already covered with several feet of snow, which each succeeding storm made more hopelessly impassable than its predecessor. All about the emigrants, already exhausted and half starved, a rugged wall of rock and snow sprang abruptly from the level of the lake and interposed an effective check to further progress.

Several attempts were made at the outset by the more energetic members of the party to escape from this natural prison; but the snow and the steepness of the mountains defeated every effort. Nothing remained but to winter there in the heart of the Sierras. Two camps were established about six miles apart. A few log shacks were erected, but most of the company lived only in crude shelters of boughs and canvas, banked with snow. Almost the only food available was the flesh of the cattle the emigrants had brought with them. It was agreed that these should all

be killed and the meat carefully husbanded for the long months ahead. The night of this decision, however, a heavy storm came up which lasted for several days; and when this cleared away most of the cattle had disappeared. Seeking whatever shelter was available, they had taken refuge under bushes and overhanging boughs, only to be buried a dozen feet beneath the drifting snow.

The bodies of some of these animals were afterwards found. But a considerable number could not be located; and where every ounce of food was needed, this loss was irreparable. Of game the immigrants had practically none. The deer of course had long since sought the lower levels where they could find grass. Bear seem to have been fairly numerous, but the men were either too discouraged or exhausted to hunt them successfully. Little meal, flour, or sugar remained after the six months' journey across the plains. From the very outset, the unfortunate emigrants were face to face with starvation.

The account of the bitter days through which the Donner party passed has no parallel in American literature. Seventy-nine persons began the winter at the lake. Of these, twenty were men; fourteen were women; thirty-eight were children, and seven were nursing infants. Before many weeks were over, almost the only food to be had was soup or jelly made from ox hides—a most nauseating dish—and bones burned and ground to powder. The cold was intense; storm succeeded storm, until the snow lay piled from fifteen to thirty feet in depth around the lake. Men became too weak to gather wood, so that starvation and cold together took pitiless toll of the luckless company. The horror and despair of those days cannot be told.

At length a party of nine men and six women left the main camp and made a desperate effort to reach Sutter's on foot. Thirty-two days later, five women and two men, the sole survivors of this "Forlorn Hope," reached Johnson's ranch near the present site of Wheatland in the Sacramento Valley. The name of one of the camps of this party was in keeping with the whole of their terrible experience. It was called

the "Camp of Death." Horrible as it is to relate, the members of the "Forlorn Hope " kept themselves from starving by eating the flesh of their dead companions, and even shot two faithful Indian guides (who had become so exhausted they could travel no further and were about to die), to serve the same grim need. The survivors could have lived in no other way.

Among the emigrants left at the lake, similar unspeakable conditions prevailed. Suffering, despair, and death walked daily through the camp. Human flesh was frequently eaten, and only the opportune arrival of rescue parties from Sutter's Fort saved any of the company alive. The first of these relief expeditions, consisting of seven men, reached the camp February 19. They had with them only a scant supply of food, which they carried on their own backs, since animals could not get through the snow. With such of the company as seemed best able to make the journey, they immediately began the return, reaching Sutter's after the most harrowing experiences. Several emigrants who started back with this party died of starvation or utter exhaustion on the road. A second and third rescue expedition, each after a grimly heroic struggle, succeeded in saving a few of the survivors at the lake. But when the fourth party arrived at the encampment in April, it found only one of the original company alive. This man, about whom tradition and gossip wove many a ghastly tale, escaped to the Sacramento Valley, only to live the rest of his days an outcast from society.

Of the seventy-nine persons who began the winter in the Sierras, only forty-five survived. Even these survivors endured privations and suffering such as can scarcely be imagined. The story is the most tragic in California history, if not in all the annals of western emigration. In it were sordid, cowardly episodes. Petty quarrels, personal jealousies, inefficiency, and vacillation played their part in its pitiful outcome. But side by side with these unattractive features, was a heroism, an unselfishness, a grim bravery, that make the story of the Donner party, especially because of



the part played by its splendid women, synonymous with something more than tragedy. It is synonymous with the spirit of the pioneer.

Many of the sources used in the preparation of this chapter are referred to in the body of the text. For the Donner tragedy, the standard authorities are:

McGlashan, Charles Fayette, *History of the Donner party, A tragedy of the Sierras.* Truckee, California, 1879.

Houghton, Mrs. Eliza P., *The expedition of the Donner party and its tragic fate.* New York, 1911.

CHAPTER X

WILKES AND FRÉMONT, GOVERNMENT EXPLORERS

WHILE the emigrant movement to California was under way, as narrated in the previous chapter, two exploring expeditions sent out by the United States government were also doing their part toward making the province better known to the American public, and in various other ways aiding the cause of American settlement and ultimate annexation.

The first of these official expeditions to reach the coast was a naval squadron under command of Lieutenant Charles Wilkes. The undertaking had been planned as early as 1836, but for various reasons it could not be gotten under way until 1838. Six vessels, with an adequate force of men and a small company of highly trained scientists, made up the expedition.

Five years were spent in explorations throughout the Pacific and along the American coast. In the course of these explorations, part of Wilkes' fleet visited California, and it is with the details of this visit that the present narrative is alone concerned.

In the summer of 1841 the main body of the expedition reached the northwest coast. On a site, which in 1917 was destined to become a part of the great military cantonment known as Camp Lewis, Wilkes held an elaborate Fourth of July celebration—the first of its kind, so it is said, to take place west of the Rocky Mountains.

After several months spent in exploring and charting the bays and harbors of the northwest coast, Wilkes prepared to continue his voyage to San Francisco. In the meantime, however, seventeen men were detached from the main expedition to travel overland to California. This party was placed under command of Lieutenant Emmons.

A number of dissatisfied Oregon settlers, hoping to find conditions more to their liking in Mexican territory, also joined the company; but Emmons afterwards found their presence more a source of discord than of added strength.

Following the trail generally taken by the Hudson's Bay trappers on their expeditions to California, the exploring party traveled up the Willamette Valley; stopped one night at the log cabin of John Turner, former employee of Jedediah Smith, whose gigantic strength had saved him from the Umpqua massacre; crossed the divide between the Willamette and the Umpqua; and finally found themselves upon the great upland plains around Mt. Shasta.

Though harassed by sickness, chiefly malaria, and menaced by hostile Indians, Emmons next explored the courses of the Klamath and Rogue Rivers. By October 10 the company found themselves out of the mountains and safely encamped in the upper reaches of the Sacramento Valley. Travelling southward, they reached the Feather River on the 17th of October, and on the 19th came to Sutter's Fort. A few days later the company rejoined the main command at San Francisco.

As a result of this overland expedition, much scientific data relating to the ethnology, geology, and botany of northern California was collected; and in addition, an accurate account of the route between Oregon and California was made available for the use of later immigrants coming into the province by way of the Columbia.

While the Emmons party was making its way from the Willamette to the Sacramento, Wilkes had come by sea to San Francisco. Here he spent much time in charting the bay and in visiting nearby points of interest. A small party under command of Lieutenant Ringgold also made an extensive survey of the Sacramento, going by launch and canoe to the head of navigation. Wilkes, as commander of the expedition, confined his own activities to the more settled regions around the Bay. Frequently availing himself of the hospitality of the Californians, and travelling from Sonoma and the Napa Valley to the Mission of Santa Clara and the

Pueblo of San José, he succeeded in learning much about the social and economic life of the people; and in getting an insight, especially valuable to his government in later years, into the political conditions of the province.

As an enthusiast for California, Wilkes was somewhat of a disappointment. His report called attention to many shortcomings of the province and abounded in criticisms. The Californians were not cleanly or energetic enough to meet his approval. The priests were too much given to liquor; the winds of the Bay region proved extremely disagreeable; and the economic life of the province appeared most primitive and crude. In spite of these drawbacks, however, there were certain redeeming features which, even in Wilkes' eyes, made California a prize of great value. Among these were the wide diversity of soil and the adaptibility of the province to agriculture and cattle raising. The province's greatest asset, however, was the Bay of San Francisco, which Wilkes regarded as "one of the finest, if not the very best harbor in the world." It could easily be defended, he continued, and was ample enough to receive the combined naval forces of Europe.

The real value of Wilkes' exploration, however, lay not so much in his personal impressions of California, of whatever nature these might be, as in the fund of information gathered by the expedition and afterwards embodied in its report. The material relating to California was of many kinds. None, however, was later of such value to the government at Washington as that dealing with the political conditions in the province, its military inefficiency, and the advantages of San Francisco Bay to the naval and commercial interests of the United States.

There is no official record to show that such information was obtained for the purpose of enabling this government to acquire the territory at a later date. On the other hand, one may well question whether the report, current among American residents of California, that Wilkes' visit was directly connected with a program of annexation, lacked entirely a sound foundation.

On June 10, 1842, after completing their long and memorable voyage, the vessels under Wilkes' command dropped anchor in New York harbor, thus bringing to an end one of the most successful scientific expeditions ever sent out by the United States. By a singular coincidence, the same day that witnessed the return of this naval expedition, also saw a small party of western frontiersmen, likewise acting under government authority, start from the last outpost of American settlement on a long overland journey of discovery and observation to the Pacific Coast. The company, though organized on a very insignificant scale compared to the Wilkes' expedition, was destined to acquire lasting fame in western annals. It was the first exploring expedition of John C. Frémont.

A detailed description of this particular undertaking does not properly belong in a history of California, since the expedition did not itself enter Mexican territory. Inasmuch, however, as it marked the beginning of Frémont's career as an explorer and became the starting point for his subsequent activities in California, a brief account of the enterprise becomes necessary. The party, composed chiefly of Creole and Canadian *voyageurs*, was organized as a military command and sent out under the direction of Colonel J. J. Abert, chief of the Corps of Topographical Engineers of the United States Army. In this branch of the service Frémont held a commission as second lieutenant. His right hand men in the undertaking were Charles Preuss, a well trained scientist of German birth; a professional hunter named Maxwell; and the noted guide and Indian scout, Kit Carson.

The expedition outfitted at St. Louis late in May and traveled by steamer four hundred miles up the Missouri to a point near the mouth of the Kansas River known as Chouteau's Landing. From a trading post of the same name, some twelve miles farther on, the overland march began. The incidents of the journey, which lasted four months, absorbing and interesting as many of them were, cannot be narrated here. From a geographical standpoint, the expe-

dition was important chiefly because of the careful surveys Frémont made of the route through the South Pass and the detailed knowledge he secured of the Rocky Mountains. From a historical standpoint, the chief significance of the undertaking lay in the stimulus it gave to Oregon and California emigration, and to the training it afforded Frémont and his men for their later and much more difficult explorations in Oregon and California.

Some eight months after the close of his first western venture, Frémont organized a second expedition to explore the far west. This, too, like its predecessor, was sent out under the authority of Colonel Abert of the Topographical Engineers. It was accordingly an official expedition, whose expenses were borne by the United States government and whose commander was an officer in the United States Army. The object of the expedition was to connect Frémont's explorations of the previous year (1842), with those made by Lieutenant Wilkes along the Pacific Coast in 1841.

With thirty-nine men, among whom were Preuss, Maxwell, and several others who had been in the party of 1842, Frémont left the junction of the Kansas and Missouri Rivers on May 29, 1843, having as guide the famous trapper, Thomas Fitzpatrick. The members of the party were well equipped and exceptionally well armed. As something of an innovation they carried with them a twelve pound mountain howitzer from the United States arsenal at St. Louis. As it turned out, the War Department disapproved of this feature of the expedition, and Frémont was able to retain the howitzer only through the independence and ready wit of his remarkable wife, Jesse Benton Frémont, the daughter of Senator Benton of Missouri.

Instead of taking his route of the previous year, which lay up the Platte River to the South Pass, Frémont followed the general course of the Kansas River, ultimately expecting to strike the headwaters of the Arkansas and possibly cross the mountains through some unexplored pass in that region. During the first part of the journey, when the party followed the regular overland trail which ran from Missouri

to the Rocky Mountains, they overtook numerous emigrant companies bound for Oregon and California. For already, as has been shown in a previous chapter, the advance guard of American settlers was pushing irresistibly forward to the Pacific.

Where the regular emigrant road crossed the Kansas River, the explorers abandoned it for a more direct course to the Rocky Mountains. Careful observations were made of the entire route, for one of the primary purposes of the expedition was the discovery of a more practical emigrant road to the Pacific. On July 23, after sundry adventures but without serious misfortune, Frémont reached St. Vrain's Fort, a famous trading center of pioneer days, situated on the South Platte some distance north of the old Spanish settlement of Taos, New Mexico.

At this post Frémont was joined by two very valuable men—Kit Carson and Alexander Godey. He then proceeded northward over a very difficult route until he came to the South Pass, about 300 miles from St. Vrain's. At this point the company again took the well travelled road to Oregon, which they had left several months before at the crossing of the Kansas. In Bear Valley they came upon a large emigrant company bound for the Columbia; and a little while afterward, turning aside from the direct road to Fort Hall, they arrived at the Great Salt Lake.

After exploring one of the islands of the lake, which the leader and a few of his companions reached at considerable risk in a frail rubber boat, Frémont made his way to Fort Hall. Here the company was divided. Part of the men returned to the Missouri settlements, while the remainder set their faces westward to the Pacific. Not far from Fort Hall, this latter party came upon the fresh wagon tracks of a very considerable band of emigrants. This proved to be the main division of the Chiles company, which, under the leadership of Joseph Walker, had abandoned the regular Oregon trial at Salt Lake to take the hazardous and little known southern route to California, by way of Mono Lake and Walker Pass.

After the usual difficulties of western travel, but otherwise without noteworthy incident, Frémont and a small advance party reached the Whitman settlement on the Walla Walla, toward the latter part of October. From this outpost of civilization, the company travelled on down the Columbia to the Dalles. Here Frémont left the greater part of his men under Carson's command to prepare for the homeward journey, while he, with a few companions, went on to Fort Vancouver by canoe.

At Fort Vancouver the Hudson's Bay officials received the Americans with marked cordiality and rendered them every possible assistance in their preparations for the return journey. Consequently, when Frémont left for his camp at the Dalles, he carried with him not only badly needed supplies for his expedition back to the United States, but also warm admiration for the courteous British commander, Dr. McLoughlin.

The formal object of Frémont's expedition, namely, the connection of his first explorations with Wilkes' survey, had now been realized; but the most important results of the undertaking were yet to be accomplished. Instead of returning over the route by which he had come, Frémont mapped out a new course for the homeward journey. This involved a long swing to the south and an exploration of the territory known as the Great Basin, which lay between the Rocky Mountains and the Sierras. Thence the return was to be made to the head waters of the Arkansas.

The choice of this new route not only allowed a general survey of a very vast and little known area, but also afforded an opportunity to investigate three specific objects. The first of these was Klamath Lake, from which the Sacramento River was supposed to flow; the second was Mary's Lake, lying between the Great Salt Lake and the Sierras; and the third was the Buenaventura River, a mythical stream appearing on many authoritative maps of the period, which flowed from the Rocky Mountains into the Bay of San Francisco.

The return journey was begun on the morning of Novem-

ber 25, 1843. At this time there were twenty-five men in the party. Riding and pack animals numbered more than a hundred, and several head of cattle were driven along for food. The mountain howitzer likewise still remained part of the equipment. From the latter part of November until January 18 the party followed the general course outlined by Frémont before leaving the Dalles. From Klamath Lake onward, however, travel became increasingly difficult. Mary's Lake was not to be found, nor the eagerly looked for Buenaventura. Food grew scarce; horses and mules became exhausted, or were so badly lamed by the rough going as to be of little service. Even the men lost spirit in the face of hardship and uncertainty.

In this dilemma, Frémont decided to abandon the route previously chosen through the Great Basin and turn westward across the Sierras to the Sacramento. While this change of itinerary was probably born of necessity, there is every reason to believe the American commander welcomed it with enthusiasm, since it gave him a legitimate excuse to visit California—a region which had already aroused keen interest and perhaps shadowy ambitions in the eager mind of the explorer.

The passage of the mountains, begun as it was in the very dead of winter, was accompanied not only by the greatest of difficulties but also involved the gravest risks. On the eastern side, the Sierras rise much more abruptly from the plains than on the west; consequently the little company, after only a few days of travel, found itself struggling through heavy snow drifts and shut in on every hand by lofty ranges. The howitzer, which had been so much an object of concern to the War Department when the expedition left St. Louis, at last had to be abandoned. Progress in the ordinary fashion became impossible. Rudely constructed snow shoes and sheds were next resorted to, and in this way the baggage was carried forward a few laborious miles each day. On the path thus made the enfeebled animals next followed as best they could. Some of the men became snow-blind; and all were greatly reduced in

strength because of lack of food and the strenuous exertions they were called upon to make. Though for a few hours each midday the cold was severe. The snow fields grew longer and more impassable with each day's march, and at times it was hard to be certain through the drifts with marks to enable the animals to travel. Had the spirit of the men been less resolute, or the leadership at all wavering, disaster must have overtaken the entire party.

At length, however, on the 19th of February, 1844, the company reached the Pacific side of the Sierras, having crossed the mountains at an elevation of more than 9,000 feet. But the end of difficulties was not even yet in sight. The descent to the Sacramento was extremely arduous, especially as men and horses were in no condition for further travel. Mule meat was the only food. Two men, one of whom never recovered, lost their reason from weakness and starvation. A third became separated from his companions and was not heard of again for several days.

At last, however, a small advance guard, with Frémont himself at its head, succeeded in reaching Sutter's Fort on March 6, after more than a month of struggle in the mountains. Two or three days later the remainder of the company, weak, emaciated, and scarce able to travel, came to the junction of the American and Sacramento Rivers. Here they were met by a relief party from Sutter's with provisions and fresh horses.

The exploring party enjoyed the hospitality of Sutter's Fort for about two weeks. With only one exception, the men quickly regained both strength and spirit, as men of their type were wont to do with rest and food, no matter what experiences they had undergone. In preparation for the journey home, provisions were collected and fresh animals purchased to take the place of those (more than half the entire number!) which had been lost, or eaten in the mountains.

Leaving behind several of their companions who wished to remain in California, the rest of the expedition bade Sutter good-bye on March 24 and set out on the long return

journey to St. Louis. To avoid a second crossing of the Sierras, still deep in snow, as well as to acquaint himself further with the resources of California and open a new overland route from the Salt Lake, Frémont led his men several hundred miles south through the great valley of the San Joaquin, which Jedediah Smith had first traversed nearly seventeen years before.

It was Frémont's good fortune to find the valley at its best. The beauty of spring was everywhere. Great oaks bordered the rivers and were scattered here and there over the plain in large groves. On every hand, green grass, variegated blossoms, and singing birds furnished a welcome contrast to the grim starving time and the cold so recently experienced in the Sierras. Bands of elk, antelope, and wild horses were constantly met with, and innumerable herds of deer broke from the thickets as the party advanced.

"One might travel the world over," Frémont later wrote in his report of this stage of the journey, "without finding a valley more fresh and verdant, more floral and sylvan, more alive with birds and animals, more bounteously watered, than we had left in the San Joaquin."

At the lower end of the valley Frémont intended to cross the Sierras through Walker Pass. This lies on the eastern side of the San Joaquin, slightly north of the latitude of the present city of Bakersfield. Instead of reaching this pass, however, the Americans fell in with a Christian Indian from the San Fernando Mission, who led them either through the Tejon or the Tehachapi Pass, both of which lie much further south and somewhat west of Walker Pass.

Once out of the San Joaquin, Frémont directed his course so as to intercept the old Spanish trail where it emerged from the Sierra Madre Mountains. In carrying out this design he followed, in the opposite direction, the general course of the route over which Jedediah Smith had led his men from the Cajon Pass into the San Joaquin on his first expedition.

At the season of the year when Frémont traversed it, the

route was exceptionally beautiful. On his right the Sierra Madre Mountains rose rather sharply from the floor of the desert to altitudes varying from 5,000 to 10,000 feet. The tops of the higher peaks were covered with snow (for it was still early spring) and many of the ridges were heavily wooded with pine trees. Occasional streams, such as Big Rock and Little Rock Creeks, flowing down the interlacing cañons, also added their attractiveness to the scene. To the left of the explorer's trail lay the vast, uneven expanse of the Mojave Desert, possessed of a peculiar, indescribable fascination, thickly set with grotesque clumps of cactus and the weird shapes of Joshua trees, and still gloriously beautiful with a carpet of myriads of spring flowers.

The party struck the Santa Fé trail some fifteen miles from the Mojave River and turned eastward toward the Colorado. As the annual trading caravan from Los Angeles had not yet passed over the trail, there was an abundance of grass for the horses. But the Indians were very numerous and hostile; and in spite of unusual vigilance one man's life was sacrificed to their attacks.

Leaving the Santa Fé trail near the foot of the Wasatch Mountains, the explorers pushed northeast along the base of that range, crossed Sevier River, and came by way of Spanish Fork to the Salt Lake. From this point to St. Louis the route was already well defined and the company traversed it without much difficulty. With the fate not unusual to explorers, however, Frémont had the misfortune to lose most of his perishable collections by a sudden rise of water, when almost at his journey's end.

The company reached St. Louis on August 6, 1844, after an absence of fourteen months. Much of the country through which its route lay had already been traversed by adventurous fur traders and emigrants. Frémont was therefore not a pathfinder in the same sense that Jedediah Smith, the Patties, and Joseph Walker merit such a title. Yet his work was no less significant than theirs. If they were the more genuine explorers, he was much more the scientist; and his descriptions and observations, whether of routes,

topography, Indian tribes, or flora and fauna, were much more systematic and valuable than theirs.

In addition to his scientific training, which so admirably fitted him for collecting and systematizing all sorts of information relative to the country through which he passed, Frémont had two other valuable assets for an explorer—an eye for beauty, and a rare command of the English language. The account of his expedition, which was first published in 1845 under government direction, testified to his ability along both of these lines. The report met with instant popularity and quickly ran through four editions. No part of it was so eagerly sought after as that which dealt with the routes to California and described so vividly the attractions of the province. Of all the literature of the period, one may safely say, no publication was more effective in influencing the popular imagination and turning the restless tide of emigration westward, than the fascinating, adventurous, and highly scholarly narrative of John C. Frémont, California enthusiast and government explorer.

This chapter is based largely upon the following:

Wilkes, Charles, *Narrative of the United States exploring expedition during the years 1838, 1839, 1840, 1841, 1842.* Philadelphia, 1845. (Vols. IV and V relate to California.)

Frémont, John Charles, *Report of the exploring expedition to the Rocky Mountains in the year 1842, and to Oregon and north California in the years 1843–44.* Washington, 1845.



CHAPTER XI

JACKSON, TYLER, AND CALIFORNIA

In previous chapters an effort has been made to show how the people of the United States became interested in California; how year after year the hide and tallow ships sailed from New England ports to ply up and down five hundred miles of California coast; how the fur traders, coming and going with the seasons, opened up the overland approaches to the Pacific and brought back tales of a richly endowed, ample, but undeveloped land; how, on horseback, in ox-wagon, or on foot, the western pioneer, with wife and children, forced his slow way across the continent, until he found a permanent home beside the western sea.

It is now necessary to go back and take up the awakening interest of the United States government in California, and the various attempts made to purchase the province in the decade prior to the Mexican War. Although the Russian advance caused the American government grave concern over the fate of the Oregon territory and California, no other official interest appears to have been taken in the affairs of the latter province until twelve years after the announcement of the Monroe Doctrine. In the meantime, Andrew Jackson had come to the presidency and placed Anthony Butler in charge of the American legation in Mexico. The appointment of Butler to this position was one of those unfortunate mistakes for which American diplomacy has acquired an unenviable reputation. For Butler's character and qualifications eminently unfitted him for carrying out any commission of trust or responsibility; and the devious course of his career in Mexico constitutes a curious and unsavory episode in the history of American-Mexican relations.

The chief object with which Butler concerned himself while in Mexico was the acquisition of Texas. From the outset, his communications to the State Department began to hint at bribery as the best means of accomplishing his purpose, and soon he was urgently writing the Secretary of State to resort to "bribery and corruption," or "presents if the term is more appropriate," to bring the negotiations to a successful close.

When Jackson refused to sanction Butler's unethical proposals, the latter obtained permission to return to the United States to lay before the President a more extensive plan for the acquisition of Mexican territory. This, in brief, centered around the possibility of obtaining Santa Anna's consent to the proposed cession by the secret use of a large sum of money. As intermediary in the transaction, a priest named Hernández, who stood very close to the Mexican dictator, had already been selected. Hernández, according to Butler, had agreed to bring about the desired results if $500,000 were placed at his disposal "to be judiciously applied."

In urging this project upon Forsyth, who was then Secretary of State, Butler asserted that the plan offered an assured method of extending the sovereignty of the United States,

> " not only over Texas, but also over the whole of that tract of territory known as New Mexico, and higher and lower California, an empire in itself, a paradise in climate . . . rich in minerals and affording a water route to the Pacific through the Arkansas and Colorado rivers."

Though Butler's geography and his diplomatic methods were alike unreliable; and though Jackson refused to countenance his scheme of bribery, the President unfortunately did allow him to return to Mexico to continue his futile negotiations and bring further discredit upon himself and his government in the eyes of the Mexican people.

Meanwhile, however, Jackson himself had become imbued with the idea which Butler had suggested, of acquiring



"Higher California" as part of the Texas program. His interest in the territory was further stimulated by a letter received from William A. Slacum, a purser in the United States Navy, whose praise of California was credited by John Quincy Adams with having kindled "the passion of Andrew Jackson for the thirty-seventh line of latitude from the river Arkansas to the South Sea, to include the river and bay of San Francisco."

At any rate, from whatever source the impulse came, Jackson instructed Butler when he returned to Mexico to open negotiations for California, as well as for Texas, thus ushering in more than a decade of diplomatic maneuvering on the part of the United States to gain possession of the province by peaceful means. Butler's instructions, if carefully read, reveal the true nature of Jackson's interest in California. This did not arise, as some historians once charged, out of a desire to secure a new field for the expansion of slavery; but was primarily born of a desire to further the expansion of American commerce.

The boundaries proposed did not include territory south of the well established line of the Missouri Compromise; but embraced only the region north of the 37th parallel. The great object was the Bay of San Francisco, which had been

"represented to the President" as "a most desirable place of resort for our numerous whaling vessels engaged in the whaling business in the Pacific, far superior to any to which they now have access."

5

The mastery of the Pacific was thus in fact Jackson's aim, not "a bigger pen to cram with slaves."

The price which the United States would be willing to pay for the desired region was not specified in Butler's instructions, but rumor later fixed it at $500,000. For various reasons the bargain was never consummated, if indeed, it was ever brought to the attention of the Mexican government. Butler was soon recalled and a better man sent to take his place.

"For six long years," however, as John Quincy Adams wrote, "he had mystified Jackson with the positive assurance that he was within a hairsbreadth of his object and sure of success, while Jackson was all the time wriggling along and snapping at the bait like a mackerel after a red rag."

The conception of Andrew Jackson, "wriggling along and snapping at the bait, like a mackerel after a red rag," would not likely occur to any other than Adams' sarcastic imagination. But even Jackson at last came to understand the character of the diplomat he had sent to Mexico; and at a later date, with his usual directness of speech, he branded Butler a liar, in whom there was "neither truth, justice, nor gratitude."

After Butler's withdrawal from Mexico, Jackson made a further effort to secure the cession of California, in connection with the independence of Texas. In the Jackson Papers preserved in the Library of Congress, one may see the rough draft of a proposal Jackson drew up to submit to Santa Anna, when that illustrious general was in Washington seeking to arrange for the mediation of the United States between Mexico and Texas, after his disastrous defeat and capture in the battle of San Jacinto. The memorandum is unsigned, but the writing, like the spelling, is Andrew Jackson's. It reads as follows:

"If Mexico will extend the line of the U. States to the Rio Grand—up that stream to latitude 38 north and then to the pacific including north calafornia we might instruct our minister to give them three millions and a half of dollars and deal then as it respected Texas as a magnanimous nation ought—to wit—in the treaty with Mexico secure the Texians in all their just and legal rights and stipulate to admit them into the United States as one of the Union."

At the time that Jackson was making this proposal to Santa Anna, he was also urging upon W. H. Wharton, the Texas Minister at Washington, the necessity of including California within the limits of Texas in order to reconcile the commercial interests of the north and east to annexation, by giving them a harbor on the Pacific.

"He is very earnest and anxious on this point of claiming the Californias," wrote Wharton to Rusk in reporting Jackson's suggestion, "and says we must not consent to less. This is in strict confidence. Glory to God in the highest!"

Though none of Jackson's efforts to secure California met with the least shadow of success, his program was taken up by a later administration with considerable zeal. Van Buren, harassed beyond measure by financial matters, had little energy to devote to foreign issues, but when Tyler succeeded Harrison, the California project became once more the subject of serious concern. Daniel Webster at that time was Secretary of State, and Waddy Thompson United States Minister to Mexico. The enthusiasm of the latter over California's possibilities bordered on the extravagant, and his efforts to secure the province's annexation to the United States were unceasing. Indeed, no man of his generation had a truer conception of the importance of the acquisition of California in the development of American greatness than Waddy Thompson.

In his first despatches from Mexico, Thompson urged upon President Tyler the advisability of securing California. He spoke of it as the "richest, the most beautiful, and healthiest country in the world," and described the Bay of San Francisco as being "capacious enough to receive the navies of all the world," and so strategically situated as to dominate the entire coast. The control of this bay and of the harbors of San Diego and Monterey, he went on, would give to the United States not only badly needed ports for her whaling vessels, but also a potential monopoly of the "trade of India and the whole Pacific Ocean."

For Thompson, however, California had many attractions beside those of a commercial nature. Its forests were large enough to build all the ships of the world's navies, and its agricultural possibilities so great that one day it would become the "granary of the Pacific." Since slavery was not likely to flourish in the province, he urged the north and south to compromise any difficulties that might arise on

that score, and acquire the territory as soon as possible, especially because France and England both had their eyes upon it.

"I am profoundly satisfied," he concluded, after warning Webster against the designs of European nations upon the territory, "that in its bearing upon all the interests of our country, agricultural, political, manufacturing, commercial and fishing, the importance of the acquisition of California cannot be overestimated. If I could mingle any selfish feelings with interests to my country so vast, I would desire no higher honor than to be an instrument in securing it."

Ten days after he had written this despatch to the Secretary of State, Thompson sent one of like tenor to the President.

"Since my depatch to Mr. Webster," he began, "I have had an interview with Gen. Santa Anna and although I did not broach to him directly the subject of our correspondence I have but little doubt that I shall be able to accomplish your wishes and to add also the acquisition of Upper California.

"This latter, I believe, will be by far the most important event that has occurred to our country. I should be most happy to illustrate your administration and my own name by an acquisition of such lasting benefit to my own country.

"Upon this subject I beg your special instructions, both as to moving on the matter and the extent to which I am to go in the negotiations and the amount to be paid. The acquisition of Upper California will reconcile the northern people, as they have large fishing and commercial interests in the Pacific and we have literally no port there. Be pleased also to have me pretty strongly instructed on the subject of our claims or leave the responsibility to me. Procrastination, the policy of all weak governments, is peculiarly so with this, and they are very poor and will never pay us one farthing unless pretty strong measures are taken."

Both Webster and Tyler were evidently in strong sympathy with the views expressed in this and other official communications from their representative in Mexico. Thompson was given permission to open negotiations for the purchase of San Francisco and as much more of the

province as seemed wise. At this time there were a large number of outstanding claims held against Mexico by citizens of the United States. Most of these were long overdue and as Mexico had no money in sight to meet them, it was suggested that these might be satisfied by a cession of the desired territory in lieu of cash.

While Thompson was seeking to open direct negotiations with Mexico, Webster and Tyler were at work upon another proposition, in which the acquisition of California was combined, not only with other phases of the Mexican question, but also with the growing difficulty between the United States and Great Britain over the Oregon boundary. The plan, which bore the name of the Tripartite Agreement, aimed to make Mexico, Great Britain, and the United States parties to a common arrangement for the settlement of all three questions.

As outlined by Webster, the Tripartite Agreement involved the following proposals:

1. Mexico to cede Upper California to the United States.
2. The United States to pay millions of dollars for the cession.
3. Of this sum, millions should be paid to American claimants against Mexico.
4. The remainder to be paid to English creditors or bondholders of Mexico.
5. The Oregon boundary to be settled on the line of the Columbia.

Both Webster and Tyler felt that this arrangement would not only solve most of the difficulties of the administration in foreign matters, but would also allay much of the domestic friction which the proposed annexation of Texas had brought out. At the same time it would make the boundary of the Columbia acceptable to the extreme expansionists of the west.

"Texas," wrote the President, "might not stand alone, nor the line proposed for Oregon. Texas would reconcile all to the line, while California would reconcile or pacify all to Oregon."

The plan was therefore pushed vigorously for a time by the administration. Additional impetus was given it by Webster's deep rooted desire to secure a harbor on the California coast for the development of New England's whale fisheries and her Chinese trade. It was even proposed that he should head a special mission to Great Britain to carry through the program. But this plan never materialized; and for a time, also, direct negotiations with Mexico were rendered useless because of the seizure of Monterey by Commodore Jones of the United States Navy.[1]

When the excitement created by Jones' act had somewhat abated in Mexico, Thompson made one or two tentative efforts to bring forward the California project; but in these he saw little chance of success unless Santa Anna, then filling his usual rôle as dictator, should become involved in war with England and cede California to the United States to keep it from falling into British hands.

Thompson returned to the United States in the early part of 1844. About the same time Webster resigned his position as Secretary of State and Abel P. Upshur came in to take his place. The latter, in turn, after only a few months of service, was killed by an explosion on the U. S. S. *Princeton*, leaving John C. Calhoun to manage the affairs of State. By this time, the administration was so thoroughly involved in the Texas issue that it had little opportunity for other matters of foreign concern. And where the acquisition of California is mentioned at all in the diplomatic correspondence of the period, it is generally linked with the subject of the annexation of Texas.

So far as Mexico was concerned, moreover, in whatever negotiations were carried on, there was one insurmountable barrier in the way of the sale of California. The difficulty was clearly stated by Duff Green, one of Calhoun's special agents charged with negotiating for Mexican territory.

"I am convinced," he wrote the Secretary, "that it is *impossible* to obtain the consent of this Government to the cession to the

[1] See pps. 148 et sqq.

United States of Texas, California, or any part of the public domain of Mexico whatever . . . . In the midst of a civil conflict where each party is seeking pretences to murder and confiscate the property of their opponents and where the principle is maintained that it is treason to sell any part of the public domain to the United States, it is worse than folly to suppose that either party can alienate any part of Texas or California."

Green was plainly right in his diagnosis of the situation. But most Americans, eager for territory and cognizant of Mexico's need of funds and the easy virtue of her officials, were slow to grasp the simple fact that any administration, even so much as suspected of a willingness to sell Mexican territory to the United States, was inviting certain overthrow and probable execution at the hands of rival factions, backed by an outraged and excited people. This was the barrier that Butler could not surmount in his attempt to purchase California. Similarly, it wrecked the hopes of Thompson, Green, Shannon, and every other American representative sent to Mexico before Polk overthrew it by the stern recourse to war.

While Tyler was vainly, but hopefully, seeking to purchase California, the interest of our government in the province was being shown in other ways. One of these was the seizure of Monterey by Commodore Jones, to which reference has already been made. The details of this affair, which antedated the performance of Sloat and Stockton by five years, were briefly as follows.

Toward the close of 1841, Abel P. Upshur, then Secretary of the Navy, having received a request from American residents in California for some form of naval protection along the coast, had increased the size of the Pacific Squadron and placed it under command of Thomas Ap Catesby Jones. The relations of Mexico and the United States at that time were quite normal, that is to say, they were strained almost to the breaking point.

Early in September, 1842, Jones, then in the harbor of Callao, Peru, received a despatch from John Parrott, American Consul at Mazatlan, on the west coast of Mexico, which

led him to believe that war had actually broken out between the two nations. Having been without advices from Washington for nine months and of course lacking an opportunity to communicate with his home government, the American commander, after consulting with the United States Chargé at Lima and the higher officers of his fleet, acted upon his own responsibility in the crisis. There appeared, moreover, to be need of imperative haste if an English fleet under Admiral Thomas was to be forestalled in the seizure of California, for rumor had it that Mexico, having declared war upon the United States, was about to cede the province to Great Britain for safe keeping.

Alarmed by these reports, Jones made all speed from Callao to Monterey, entering that port on October 19 with the frigate *United States* and the sloop *Cyane*. Here he found neither the British fleet, nor sign of warlike preparation. Most of the garrison were off at work in the fields; fort and guns were in their usual state of decay; and the ammunition was about gone. Everything, indeed, was quiet, peaceful, and normally dilapidated. Jones immediately summoned the authorities to surrender, a demand which naturally excited a good deal of surprise and consternation, since no one on shore had heard of any breach between Mexico and the United States. Monterey, however, was so completely at the mercy of the invader, that Juan B. Alvarado, acting governor, and Mariano Silvia, military commandant, did not even avail themselves of the eighteen hours allowed by Jones for capitulation, but almost immediately yielded up the port to the American commander.

The latter took possession of the city, raised the American flag, cautioned his men against any outrages upon the inhabitants, issued a proclamation inviting the Californians to accept peaceably the sovereignty of the United States—and then began to investigate the report of war between the two countries upon which he had acted.

The next day, becoming convinced that the United States and Mexico were still at peace and that his seizure of Monterey was premature, to say the least, Jones restored the

city to its former rulers, lowered the American flag, and made formal apology for his unintentional offense against international law.

So far as the Montereyans were concerned, this opera bouffe affair called forth little, if any, ill-feeling against the United States or American residents of California. Indeed, Jones and his command seem to have met with unusual hospitality at the hands of their supposed enemies after the town had been restored to Mexican control. In other quarters, however, the flood gates of indignation and oratory were loosened in a way that Mexican officials alone understand. When news of Jones' act reached Governor Micheltorena, recently arrived from Mexico, and even then two days march from Los Angeles on an inspection tour of the northern part of the province, the latter's patriotic fervor immediately rose to the occasion. To the Secretary of War and Marine, he thus described his conduct in the face of such an outrage:

"I wished myself a thunderbolt, to fly and annihilate the invaders, but 110 leagues intervened between them and me and my forces were all infantry. . . . On the following day, the 26th, I began my march with my troops, of whose enthusiasm I cannot say too much. . . . North and south of my headquarters everything was in motion; and the fever of patriotism which I excited with energetic heat beat quickly, as you will see by document 9 We thus marched for two hours, during which my soul was rapt in ecstasies at the flattering prospect of a speedy and certain victory."

At this juncture, rudely breaking into Micheltorena's ecstatic dream, a courier arrived with the news that Jones had restored Monterey and retired to his vessel. This sudden change of front, if we may believe Micheltorena's official statement, was not altogether pleasing to the Governor, who gave to it a far different explanation from that offered by Jones.

"So his excellency Mr. —— did not choose to await our arrival as a hostile force!" wrote Micheltorena. "And the feelings

of my heart, which were thence transmitted to those of all the officers, soldiers, and inhabitants of the country, were at once of grief and joy, of regret and pleasure, of contentment and disappointment; but Providence has so willed it; therefore it is for the best, and we have only to respect and bow to its decrees."

In conclusion, Micheltorena modestly pointed out that had it not been for the "activity, foresight and energy" of four men in forcing Jones out of Monterey, the whole of California would inevitably have been lost to Mexico. The illustrious four were "the *Benemerito* President", General Don Antonio López de Santa Anna, General Don José María Tornel, Minister of War in Mexico, Don Gabriel Valencia, Chief of Staff, and—Manuel Micheltorena. The services of the latter, especially, were dwelt upon as worthy of President Santa Anna's approbation. From Micheltorena's military ability, as elsewhere exhibited, one may fairly say that his genuis expressed itself far better with the pen than with the sword; and Jones could have kept Monterey with little fear of being molested had the United States and Mexico actually been at war.

In Mexico, also, the seizure of Monterey naturally called forth indignant protest. The affair was the subject of very vehement correspondence on the part of the government, which demanded not only the condign punishment of Jones, but much other satisfaction for its injured feelings, as well. The United States replied by recalling Jones and offering formal apologies for his hasty action. Beyond this, however, both Webster and Tyler refused to go. One, indeed, in spite of official denial, halfway suspects that Jones had received instructions before sailing for the Pacific that led him to believe the administration would be much more tolerant with over-zealousness in seizing California ports than with a timid and unwise delay.

A curious aftermath of Micheltorena's activities against the invaders appears in the demand he addressed to Jones for the payment of an indemnity. This included satisfaction for 1500 complete infantry uniforms, which the Governor



claimed had been ruined by the Mexican forces on the march to Monterey; fifteen thousand dollars to reimburse the Mexican treasury for expenses incurred to meet the invasion; and finally, "a complete set of military musical instruments to replace those ruined on this occasion." If the first item on the list was a fair criterion of the validity of the entire claim, then Micheltorena was certainly gifted with a glorious imagination. His force could not have numbered more than 300 troops at any time, and not one of these had probably ever had a "*complete* infantry uniform" in all his life.

This chapter has been based chiefly upon government documents and manuscripts in the files of the State Department and in the Congressional Library at Washington. The substance of the chapter is also embodied in, Cleland, R. G., *The early sentiment for the annexation of California.*



CHAPTER XII

"ANARCHY AND CONFUSION"

WITH the United States government taking more than casual interest in Pacific Coast happenings, with the overland routes becoming more clearly defined each year, and with the steady increase of immigration across the Sierras, conditions in California were fast approaching a crisis by the beginning of 1845. American activities, however, constituted only one element of danger in the situation. Equally alarming from the standpoint of the loyal Californian were the unhappy relations of the province with Mexico, and the domestic discord and military weakness which he saw everywhere around him. This phase of California history, somewhat endowed with local interest as well as an essential background of the Mexican War, is discussed in the ensuing chapter.

The historian of the Spanish period has described the relations of California and Mexico when Spanish authority still lived in the New World. Even at best, as he has so well shown, the control of New Spain over a territory so distant and difficult of access as California was never satisfactory; and the economic and military assistance, so sparingly dealt out by the central government, was wholly inadequate to support the colony or to defend it against an enemy's invasion. With the overthrow of Spanish sovereignty, the situation became materially worse. Mexico, torn continually by internal revolution, financially exhausted, striving desperately to maintain her own autonomy, and helpless, as in the case of the Texas revolution, to preserve herself from dismemberment, had little energy to devote to California, and neither money nor troops to send there in case of need.

Officials for California, it is true, Mexico had and to spare. But for the most part these were only presidential favorites, sent to Monterey or to Los Angeles to pay an embarrassing political debt, or to be got away from the capital as far as possible—men of low motives and inferior talent, supposed to recruit their fortunes as best they could from the revenues of the province. For these evidences of maternal affection on Mexico's part, the people of California showed a total lack of respect and even a rude dislike, which frequently vented itself in successful revolution—almost as frequently, indeed, as a Mexican governor had the temerity to venture into the province.

To go into the details of all such revolts would require much more space than their importance justifies.[1] Two, however, may be described as typical of the rest. About mid-summer of 1836, Mariano Chico, Governor of California for a few brief weeks, quit the territory for the latter's good, leaving behind him an unsavory reputation and a disputed question of succession. His place was taken by Nicolás Gutiérrez, already filling the position of military commandant, who had come from Mexico some years before to make his political fortune in California. The native leaders naturally viewed this new arrangement with little favor. Personal ambitions and resentment against Mexico alike made them hostile to the new administration. This combination, coupled with the instinctive Hispanic American tendency to revolt at more or less regular intervals, with or without provocation, led shortly to the outbreak of civil war.

The leaders in the movement, which ostensibly broke out over questions of revenue and official etiquette, were Juan B. Alvarado, inspector of the customshouse and a member of the provincial *Diputación*, a man of considerable ability and wide popularity; José Castro, a former governor of California; and José Antonio De la Guerra. Alvarado's uncle, Mariano Vallejo, at that time the dominant figure in provincial affairs north of Monterey, was also urged to

[1] See Chapman, *A history of California: the Spanish period*, Chap. XXXV, for an adequate discussion of the subject.

join the revolt. He could not be persuaded to play an active part in the rebellion, but lent it some measure of passive support and profited by its success.

From the standpoint of numbers, the force which Castro and his companions were able to muster was insignificant. But it had three things in its favor: it outnumbered the fifty men Gutiérrez had at his command by more than two to one; its members, temporarily at least, were ardently patriotic, while the enemy were inspired only by a desire to live and be at peace; and most effective of all, in its ranks was a motley troop of foreigners—Americans, Englishmen, Frenchmen, trappers and sailors, rough fellows for the most part, eager for excitement, and much more skillful in the use of arms than the Californians of either side. The leader of this supporting force was a Tennesseean named Isaac Graham, a man of doubtful morals but considerable force of character, who had entered California with one of the trapping parties of the early thirties and afterwards set up a crude distillery near Santa Cruz. With his subsequent career, California history has somewhat more to do.

Aided by these factors, the success of the revolution was never seriously in doubt. Gutiérrez, shut up in Monterey with a handful of men, part of whom were hastily armed convicts, had little choice but to surrender. Yet after the manner of Mexican commanders, he sought to uphold his dignity so long as the conflict was confined to wordy negotiations. When, however, a cannon ball, the only shot of the revolution, came rumbling down from the heights above the town, making his headquarters untenable and giving a business-like tone to the demands of the insurgents, Gutiérrez bowed to the inevitable and surrendered both the town and the governorship. The latter was filled, through an *ad interim* appointment as it were, by José Castro, but was eventually taken over by Alvarado, the real instigator of the revolution. Gutiérrez was sent home with little ceremony, and for some years the Californians conducted their political affairs unmolested by meddlesome Mexicans officials.

The revolution of 1836, bloodless and triumphant like

most affairs of its kind in California, possessed at least two distinctive features. One of these was the part played by foreigners in its outcome; the other was a program of separating the province entirely from Mexican control. The idea of independence, it is true, received only superficial support from Castro and Alvarado; but it had great attraction for Graham and his followers, as well as for many other foreign residents. The plan never went farther than a provisional declaration of independence, the preparation of a lone star flag, and vague proposals on the part of the Americans to repeat in California what Houston's forces had just accomplished in Texas.

After the affair of 1836, the next revolt against Mexican authority, serious enough to warrant consideration, was that of 1844. The eight years of comparative harmony between the two revolutions, were due not to any increase of loyalty on the part of the Californians toward Mexico, but merely to the fact that the mother country left her distant colonists pretty much to their own devices during the interval. In January, 1842, however, Santa Anna returned to the old plan of sending a governor direct from Mexico. This honor (or misfortune) fell to Manuel Micheltorena, a brigadier general who had won some distinction (and a claim for reward), by suppressing an incipient revolt in Mexico City.

Micheltorena arrived at San Diego in August. With him he brought several high sounding titles and ample authority (on paper) to make himself supreme in both the Californias. As a practical means to this end, as well as to render the coast immune to foreign aggression, the Mexican government had placed at his command one of the choicest armies the province had ever known. This consisted of two or three hundred gallant souls, for the most part picked from the jails of Mexico—a motley collection of rascals and beggars, not one of whom, according to an eye-witness, "possessed a jacket or pantaloons" when the battalion arrived in California. Instead, each soldier "trusted to a miserable, ragged blanket to cover his filth and nakedness."

Long before this aggregation reached California, rumor

had preceded them, causing as near a panic among the philosophic Californians as they were capable of experiencing. Yet bad as this advance reputation was, Micheltorena's troops in the main lived up to it. They stole, intimidated peaceful citizens, and made themselves generally obnoxious. Many years before, a despairing California governor had written to the viceroy, regarding certain newly arrived immigrants from Mexico, that their absence from the colony "for a couple of centuries, at the distance of a million of leagues would prove beneficial to the province and redound to the service of God and the glory of the king." No words could better have expressed the sentiment of the Californians toward Micheltorena's precious vagabonds.

Nearly two years elapsed, however, before armed resistance was made to the new governor's rule. But in the meanwhile Castro and Alvarado, with a few others, busied themselves in preparation for revolt. In November, 1844, a number of these conspirators openly "proclaimed" against the usurper from Mexico. The first phase of the revolution was an immediate triumph for the Californians. On December 1, Micheltorena, either realizing his helpless situation or seeking merely to gain time, signed an agreement to ship his undesirable followers back to Mexico within the next three months.

But it soon became apparent that the governor had no intention of keeping his pledge to the Californians. In various ways he set about strengthening his position, and finally enlisted the aid of nearly a hundred foreign riflemen under John A. Sutter and Isaac Graham. Whatever may have been the motives of these two leaders in supporting Micheltorena, the most of their followers did so because they feared, for some reason or other, that the success of the revolutionists would result in more stringent regulations against American settlers in California.

With this formidable body of foreigners, augmented by as many Indians from Sutter's ranch, Micheltorena was at first more than a match for the Californians. Alvarado and Castro, however, abandoning the northern part of the

province, retired to the south, where, in Los Angeles, after defeating Micheltorena's adherents in the severest skirmish of the revolt, they succeeded in stirring up an enthusiastic opposition to the governor's cause. Like the latter, they too enlisted a number of American residents among their forces. The leaders of this foreign contingent were James McKinley and William Workmen, and nearly all the other respectable Americans in the south lent the movement their support.

The pursuit of the revolutionists as they retreated southward, had been carried on by Micheltorena without the slightest evidence of haste. Among his foreign supporters, such a program naturally bred impatience and disgust. This in turn was fed by a number of the riflemen themselves, who had joined Micheltorena solely for the purpose of creating dissatisfaction within the foreign battalion.

At Santa Barbara a delegation from Los Angeles sought to affect a compromise between Micheltorena and the revolutionists, but the governor was unwilling to make the necessary concessions. Accordingly, the city authorities of Los Angeles, now thoroughly under the influence of Castro and Alvarado, issued a proclamation deposing Micheltorena, and appointed Pío Pico governor *ad interim* in his stead. At the same time all able bodied citizens were commanded to take arms against the approaching enemy.

Near Ventura there were some minor skirmishes between the Micheltorena forces and an advance guard under Castro; but the latter, without having either inflicted or suffered much injury, retired before superior numbers to the revolutionary headquarters in Los Angeles. With the advance of Micheltorena to the upper part of the San Fernando Valley, Castro and Alvarado, in command of nearly 300 men, marched out through the Cahuenga Pass to meet him. Later they were reënforced by Pío Pico with perhaps a hundred additional troops.

The battle was joined on the banks of the Los Angeles River, about noon, February 20, 1845. It was an artillery engagement at comparatively long range, and was carried



on very briskly until sundown by the five small cannon which constituted the ordnance equipment of the two armies. In this fighting the foreign contingent of neither faction took part; and when the casualties were accounted for, after the half day's bombardment, it was found they consisted of two horses killed on one side, and a mule wounded on the other!

After this sanguinary encounter, which was followed the next morning by a brief and bloodless skirmish near the Verdugo ranch, Micheltorena was ready to capitulate. The next month he left California with most of his ragged followers. The grievances of the native inhabitants against Mexico, however, were only temporarily alleviated by the governor's withdrawal. Relations with the parent government still continued unsatisfactory and full of friction.

One of the difficulties, partially responsible for this condition, was the lack of adequate means of communication between the colony and the mother country. Only three routes between California and Mexico were available, and all of these were inconceivably tedious and full of hardship. The voyage from San Blas or Mazatlan to Monterey required many weeks, and was nearly always attended by storm and sickness. Mexican vessels were scarce; and the foreign traders commonly lengthened the voyage by running from the west coast of Mexico to the Sandwich Islands before touching at a California port.

Travel by the overland routes were even more dangerous and fatiguing than by sea. The oldest line of communication between Mexico and California was that opened by Garcés and Anza in the first days of California settlement. It ran from Mexico City, by way of Sinaloa and Sonora, to the Gila River, which it followed to the Colorado; thence the trail crossed the sandy wastes of the present Imperial Valley, and emerged from the desert to the coastal region through one of the passes in the San Jacinto Mountains. Lack of grass and water, together with the difficulty of travel through miles of heavy sand, made this journey at best a difficult and problematical venture. When to

these adverse elements, there was added the destructive hostility of various Indian tribes, such as the Yumas and Apaches, the route was rendered virtually impassable. So rarely was it used, indeed, in the early years of the century that J. J. Warner, who came over it in 1831, found it virtually unknown to the Mexicans of Arizona and Sonora.

"There could not be found in either Tucson or Altar," he wrote, "—although they were both military posts and towns of considerable population—a man who had ever been over the route from those towns to California by the way of the Colorado River, or even to that river, to serve as a guide, or from whom any information concerning the route could be obtained, and the trail from Tucson to the Gila River at the Pima villages was too little used and obscure to be easily followed, and from those villages down the Gila River to the Colorado River and from thence to within less than a hundred miles of San Diego there was no trail, not even an Indian path.

The third route from Mexico to California was the old trail from San Gabriel to Santa Fé. Originally explored by the Domínguez-Escalante expedition late in the eighteenth century, this route was not used again until the American trapping and trading parties of the early thirities followed it from New Mexico to California. From that time on it became an important line of communication between the two most outlying provinces of Mexico; and over it a very considerable and picturesque commerce was carried on. Travel, however, on the Santa Fé-Los Angeles trail, as on the Gila route, was attended by great privation and constant dangers. Transportation was entirely by pack-train; and so perilous was the undertaking, that the New Mexicans and Californians resorted to the practice of forwarding goods by annual caravans, under heavy guard.

Then, too, Santa Fé itself lay a long way from Mexico City, the seat of the central government. From Santa Fé southward by the old Chihuahua road travel was also beset with difficulties and Indian menace. So that, whether by sea or by land, by the Anza route or the newer "Spanish"

Trail, communication between California and Mexico was exceedingly irregular and uncertain. As a result of these conditions, the colony inevitably drifted away from the parent country. Mutual sympathy and understanding were impossible. The Mexican government knew little of current happenings in California, and received official despatches from Monterey or Los Angeles only once or twice a year. The California deputy in the National Congress heard from the province with even less regularity and of course had only the vaguest notions of what was going on among his constituents.

Another deep seated grievance of the Californians, which alienated still further their affections from Mexico, was the inadequate military protection afforded the province by the central government. This condition of affairs was almost as old as the colony itself. At the beginning of the century, William Shaler, the New England fur trader, found the fortifications of the sea port towns, from San Francisco to San Diego, so fallen into decay that they could present only a "sorry defense" against even the smallest naval vessel. As for the rest of the province, he said, its conquest "would be absolutely nothing; it would fall without an effort to the most inconsiderable force."

The conditions noted by Shaler in 1803 showed no improvement after the lapse of a generation. When Lieutenant Wilkes, of the United States exploring expedition, visited San Francisco in 1841, he found the presidio deserted, the walls fallen in ruins and the guns dismantled. The garrison consisted of one officer and a single barefooted private, neither of whom could be found when Wilkes arrived. A year or so later, the English traveler, Sir George Simpson, of the Hudson's Bay Company, discovered much the same condition at Monterey, the commercial and political center of the colony. At the time of his visit, however, the guns of the fortress were able to return the salute of the English vessel, a courtesy the garrison was not always able to offer without borrowing the necessary powder from the ship they wished to salute.

When Jones took possession of this port, he found a garrison of twenty-nine regular soldiers, with twenty-five untrained militia from the interior. There were eleven pieces of cannon, most of which were dismounted. The rest were practically useless because of a scarcity of ammunition. There were also about 150 muskets and a few carbines, with less than 3,000 rounds of ammunition. The fortifications, according to the California officer in command, were of no consequence, "as everybody knows."

The regular army, entrusted with the defense of California from Sacramento to San Diego, a distance of some six hundred miles, consisted of less than six hundred men. More than half of these were Mexican troops, much feared and hated by the Californians. A native militia was also supposed to be available in time of war; but while this theoretically was composed of about a thousand men, scarcely one tenth of that number could actually be counted upon in case of need. The effectiveness of even this small force was reduced by half, since it was divided between the northern part of the province and the south.

From the naval standpoint, the protection afforded California by Mexico was even more ridiculous. The single vessel maintained by the government on the coast, "a mere apology for a coasting cruiser," was described "as an old, cranky craft, not mounting a single gun, and so badly manned that she was unable to make any progress when beating against the wind."

This utter lack of protection for their interests, and the apparent indifference on the part of the Mexican government for the welfare of the province, led to bitterness of feeling and a steadily growing policy of independence among the Californians. With almost no regard for the home government, they made their own laws, collected and spent their own revenues, chose their own officials, and obeyed Mexican regulations only as their fancy chose.

Unfortunately, as this breach between Mexico and her colony widened, friction also developed among the Californians themselves. Even at that early date, the north and

south were jealous of each other; nor had these relations been improved by the removal of the capital from Monterey to Los Angeles. The former still kept the customshouse and treasury, and remained the military headquarters, as well as the center of social life. Los Angeles, however, became the seat of the civil government, which was thus separated by nearly four hundred miles from the fiscal and military headquarters.

Between the northern and southern leaders there was also much of personal dislike. Pío Pico, who was the dominant figure of Los Angeles, had been elected governor to succeed Micheltorena; while José Castro, one of the northern representatives, was chosen military commander. Bad blood soon developed between these two. Charges and counter-charges, in keeping with the Mexican custom, flew thick and fast. Each official, summoning his partisans to aid, set out to save the republic by overthrowing his opponent. And in the meantime, government almost ceased to function. Justice was no longer administered; the finances became utterly demoralized; and the army, such as it was, degenerated still further into an undisciplined, unpaid, unequipped rabble.

This confusion and uncertainty in the political affairs of the province, which almost amounted to anarchy, coupled with the lack of protection to life and property, and the feebleness of Mexican control, changed very radically the mental attitude of the more conservative Californians. Most of them came to realize the hopelessness of the situation and gradually prepared themselves for an inevitable change. What this change should be, there was as yet no common agreement. Some favored independence; some a protectorate under France or England; and some advocated annexation to the United States.

The foreigners in the province on their part were united in a desire to separate from Mexico. Most of them favored union with the United States; a few stood out for independence; and the English inhabitants naturally advocated the establishment of British sovereignty. The merchants, and



long established foreign residents generally, favored the separation movement because of the danger to property rights and the uncertain business conditions under Mexican rule. The newly arrived and more restless American immigrants saw in the situation an opportunity to hasten Manifest Destiny along the proper road. Incidentally, they perhaps expected to derive some excitement and a little personal profit from the process.

Such, in the main, was the internal situation of California when James K. Polk, disciple of Andrew Jackson, Scotch Presbyterian, and avowed expansionist, came to sit in the President's chair. To him we owe the Mexican War and the annexation of California. By what strange irony of fate has history ranked *this* man among the minor Presidents?

In addition to the general histories, various descriptions of California by American travellers of the period have furnished material for this chapter.



CHAPTER XIII

PLANS FOR ANNEXATION

WHEN Polk was inaugurated on the fourth of March, 1845, the California situation was ripe for some form of settlement. No one at all familiar with conditions in the province looked for a continuation of the existing state. A change was inevitable; and before he assumed office, Polk had determined what that change should be. So far as he was concerned, the issue was already settled. California was to be annexed to the United States.

Polk soon announced this purpose to his Cabinet. To carry out the program of annexation there were several possible methods. The simplest of these was acquisition by purchase, a plan which Jackson and Tyler had already tried, but without success. If this should fail again, there was next the ever growing spirit of revolt among the Californians against Mexican rule—an attitude which might be used to great advantage by the United States. Or, if the Californians themselves could not be relied upon to bring about the desired object, there was still a sufficient body of Americans in the province, eager for adventure, restless under native rule, contemptuous, it must be confessed, of Mexican authority, holding to the Manifest Destiny creed in its most exaggerated form, and inspired by the easy success of the Texas revolution, to wrest California from its Mexican rulers and place it under the protection of the United States. If none of these measures should succeed, or if they proved too slow to meet the emergency, there was always the last resort of war.

Polk's first move in the California issue was a direct offer to purchase the province from Mexico. One cannot understand the negotiations by which he sought to accomplish



this purpose without some knowledge of the existing political situation across the border. Revolution was then the normal condition of Mexico. At least seventeen such movements had taken place in less than a quarter of a century. Presidents held their position in a purely tentative fashion, never sure from one sunrise to the next whether the night would see them still in office or exiles from the country.

Under such conditions, when hostile factions were ever waiting an opportunity to stir up an inflammable people to overthrow the existing administration, a Mexican president's first care was to stay in office and to give his enemies as little material for revolutionary propaganda as possible. His decisions on public questions and matters of policy were necessarily based on this primary consideration. Another difficulty, however, confronted every Mexican president, and one always of pressing necessity. This was to find sufficient funds with which to run the government; or, to speak more plainly, sufficient funds with which to hold his followers in line and keep them from going over to the opposition.

The two considerations just mentioned had always to be taken into account when the United States sought to negotiate for California. A desperate need of money, the hopelessness of making Mexican rule effective in California, and perhaps a desire to establish more cordial relations with the American government, prompted more than one president to dispose of the province. On the other hand, something of national pride; the ill-concealed opposition of European governments to the American control of California; a traditional antipathy to the United States; and above all, the perfect realization that any cession of territory, no matter what the circumstances, would lead to popular retribution for such an act of sacrilege, compelled the repudiation of every offer. Common sense and an eager desire for ready cash were thus both alike out-weighed by the fear of revolution.

This dilemma, which confronted every Mexican president with whom negotiations for California were undertaken,



was not appreciated by the Washington government. American officials, with a fixed determination to acquire the territory, knowing how little it actually benefitted the Mexican government, aware of the chronic bankruptcy of the latter's treasury, and somewhat acquainted with the devious course of Mexican politics, could not understand why their oft-repeated offers to purchase the province were so consistently declined.

When Polk opened his negotiations, the situation in Mexico was normally unsettled. In December, 1844, a revolution had deposed Santa Anna for various high crimes and misdemeanors, and placed General Herrera in the presidency. In June of the next year, Santa Anna was banished from the country and took up his residence at Havana. From this point of vantage he kept a watchful eye on the political situation in Mexico; and when conditions favored, entered into those secret negotiations with the United States which resulted in his return to power after the outbreak of the Mexican War.

In the meanwhile, President Herrera was encountering a few perplexities of his own. A dangerous rival had arisen in the person of General Paredes, while a dozen lesser opponents were also in the field. The national treasury was bare of funds and the army without pay. Congress was daily becoming more hostile, and the press noisily denounced the administration for its Texas policy. Various bills were passed to remedy the economic and military situation, but as these were accompanied by prohibitions on the sale of national territory—the only source of revenue available—they served to intensify rather than to relieve Herrera's troubles.

Diplomatic relations between the United States and Mexico had been broken off with the annexation of Texas. But Herrera was suspected of seeking to restore them; and also of a willingness to recede from the position the Mexican Congress had taken with regard to the lost province across the Rio Grande. Paredes, skillfully playing upon the popular mind and also undermining the President's control of the



army, was only waiting a favorable opportunity to unseat his rival and assume control of the government himself.

Such were the internal conditions of Mexico and the impossible position occupied by Herrera, when Polk brought forward his program of purchasing California. The first step in this plan was, of course, the reëstablishment of diplomatic relations with the Mexican government. This, in itself, was a difficult undertaking, because of the embarrassing effect it was sure to have upon the tottering Herrera administration. But Polk had reason to believe (through information received from William S. Parrott, an American dentist resident in Mexico who had been appointed confidential agent of the United States government) that Herrera was willing to take the risk of receiving an American diplomat. In this opinion, Dimond and Black, United States Consuls at Vera Cruz and Mexico City respectively, concurred.

Accordingly, with the consent of his Cabinet, Polk appointed John Slidell of New Orleans, a man familiar with Mexican conditions and acquainted with the Spanish language, to undertake the negotiations.

"One great object of this Mission, as stated by the President," wrote Polk in the never failing journal in which he daily recorded alike the significant and trivial events of his administration, "would be to adjust a permanent boundary between Mexico and the United States, and that in doing this the Minister would be instructed to purchase for a pecuniary consideration Upper California and New Mexico. He said that a better boundary would be the Del Norte from its mouth to the Passo, in latitude about 32° North, and thence West to the Pacific Ocean, Mexico ceding to the United States all the country East and North of these lines. The President said that for such a boundary the amount of pecuniary consideration to be paid would be of small importance. He supposed it might be had for fifteen or twenty millions, but he was ready to pay forty millions for it if it could not be had for less. In these views the Cabinet agreed with the President unanimously."

If the report that Jackson had offered only $500,000 for the better part of this same territory only ten years before were

true, it is apparent that California real estate was rapidly rising in value!

It was intended that Slidell's mission should be kept a profound secret. This was highly desirable both to protect the Herrera administration, and also to prevent Great Britain and France from delaying or defeating the negotiations. In spite of every precaution, however, the news of Slidell's coming preceded him to Mexico, and with it went the sinister rumor that he had at his command a million dollars with which to bribe President Herrera. The latter, therefore, was in a sorry predicament when the American Minister landed at Vera Cruz. To receive him and open negotiations meant a direct bid for revolution. To reject him not only meant the loss of a great financial opportunity, but also an affront to the United States that might easily lead to war.

In this dilemma Herrera chose the latter course. Slidell was refused recognition on purely technical grounds, for which there was no other justification than Herrera's fear of being overthrown. Slidell's rejection, however, while it defeated the chance of any support Herrera might have gained from the United States, did not win for him the popular favor he sought to obtain. The "plan" of San Luis Potosí had already been drafted by the followers of Paredes; and before Slidell left Mexico City, Herrera had gone out of power on the heels of a bloodless revolution, leaving the palace, as one writer has humorously said, "with the entire body of his loyal officers and officials, his mild face and his respectable side-whiskers—in one hired cab."

Slidell's attempt to open negotiations with the new government met with no more cordial reception than it had obtained from the old. His request to be received as Envoy Extraordinary and Minister Plenipotentiary (a request made from Jalapa where Slidell had gone after leaving the City of Mexico) was refused with little courtesy and much emphasis by Castillo, Secretary of Foreign Relations in the Paredes Cabinet. The American envoy could stand no more. Against the wishes of President Polk, as it afterwards



proved, he immediately demanded his passport and left for the United States, disgusted with the tortuous course of Mexican diplomacy, and thoroughly convinced that no government could be established in that country stable enough to carry out a consistent foreign policy. In this temper he came back to Washington to lay his report before a President already impatient to the breaking point with the sorry condition of Mexican affairs.

The failure of Herrera and Paredes to re-open negotiations with the United States, destroyed Polk's first hope of securing California. As already pointed out, however, there were still three other possibilities of accomplishing the desired end. To one of these, indeed, Polk had already turned even before the failure of Slidell's mission became known.

Among the American residents of California was the New England merchant, Thomas O. Larkin, whose activities as publicity agent for California have already been spoken of.[1] Larkin had come to Monterey in 1832 and rapidly built up a prosperous business. Incidentally, too, he had won for himself a favorable reputation among the leading Californians, as well as among his own countrymen. In 1843 he had been appointed United States Consul to California—the only person who ever held that office—and in this capacity found it possible to furnish his home government with very valuable information.

In Larkin's despatches, affairs of commerce and trade—the ordinary consular concerns—were subordinated to matters of larger import. The political and military strength of the province, its relations to Mexico, the feeling of the native Californians toward the United States, the arrival and reception of American immigrants, the influence and ambition of European nations in California questions—such were the topics most dwelt upon in the American Consul's communications to Washington. In turn, the government encouraged him to report every item that might be made to serve the nation's interests.

It was natural that Polk, cognizant of Larkin's high

[1] See Ch. VIII.

standing with the leading Californians and aware of his knowledge of California affairs, should have entrusted to him the chief responsibility of carrying out the President's second plan of acquiring the territory. The plan itself was definitely outlined to Larkin by Polk's Secretary of State, James Buchanan, in a despatch dated October 17, 1845. This communication, unfortunately too long to be quoted here in full, contained three suggestions for Larkin's guidance. These in brief were as follows:

(1) Though the United States would not foment a revolution in California, Larkin might assure the Californians that his government would play the rôle of protector in case they sought to separate from Mexico.

(2) Should any attempt be made to transfer California to a European power, the United States would prevent the cession.

(3) To carry out the plans of the administration more effectually, win the friendship of the Californians for the United States, and thwart the activities of European nations, Larkin was appointed the President's confidential agent and virtually instructed to use his own discretion in handling the situation.

Two copies of this despatch were forwarded to Larkin. One went by sea and reached California early in 1846. The other was entrusted to Lieutenant Archibald H. Gillespie, a confidential agent of the United States government, who travelled across Mexico in the disguise of an invalid merchant seeking health. Fearing capture at the hands of the Mexicans, Gillespie destroyed his copy of the document after memorizing its contents. A third copy of the despatch was sent to Slidell to guide him in his negotiations with the Herrera administration.

The whole tenor of Buchanan's letter convinced Larkin that the President expected him to prepare the way for the peaceful annexation of California by the United States. He accordingly began systematically to carry out his mission. In the province at that time there were a number of Americans who had married California women and become Mexican citizens. To several of the most influential of these—



men like Don Abel Stearns of Los Angeles, John Warner of San Diego, and Jacob Leese of Sonoma—he wrote confidentially of his new position, urging them to aid him in his program of winning over the Californians. Stearns, the dominant foreigner in the south, he appointed his secret assistant to manage the business in and around Los Angeles.

To a number of the native leaders in the north, with whom he stood on intimate terms, Larkin also revealed the general character of Polk's instructions. As these men were already weary of Mexican rule, it was not difficult to secure some measure of support for the idea of independence, especially as Larkin held before them the promise of substantial reward from his own government. The real difficulty was not their affection for Mexico, but the inclination on the part of some to look to Great Britain instead of to the United States for aid. Those known definitely to favor the American program were urged by Larkin to attend the various juntas, which were then being held to meet the existing crisis in California affairs, and to bring their influence to bear upon the decisions of those bodies.

These efforts of the American Consul gave promise of success. Several of the principal Californians came over definitely to Larkin's position; and one of these, General Castro, as influential as any man in the province, even went so far as to draw up "a short history of his plans for declaring California independent in 1847 or 48 as soon as a sufficient number of foreigners should arrive." Equally encouraging reports were received from the south, and it seemed only the matter of a year or two before California would renounce her allegiance to Mexico and voluntarily seek annexation to the United States. Two things, however, broke in upon this plan of peaceful acquisition and ended the movement which Larkin had begun at President Polk's request. One of these was the uprising of the American settlers in California known as the Bear Flag Revolt: the other was the Mexican War.

Before taking up the first of these movements in detail, it is well to point out that an independent California under

Anglo-Saxon control was a subject of considerable speculation long before the Bear Flag movement, in its own way, sought to carry out the idea. In the years before 1846 this plan of independence found expression in three forms: a union of Oregon and California into an autonomous state; a union of California with the newly established Republic of Texas; and the erection of California by itself into an independent nation.

The first of these, the union of Oregon and California, was suggested by Thomas Jefferson, the father of trans-Mississippi expansion, as far back as 1812, when he expressed the hope that the descendants of Astor's colonists on the Columbia would one day occupy the whole Pacific Coast, "covering it with free and independent Americans, unconnected with us but by the ties of blood and interest, and employing like us the rights of self-government."

In the early forties this idea obtained considerable prominence and commended itself to a number of careful observers. For example Wilkes, the commander of the United States exploring expedition, wrote:

> "The situation in California will cause its separation from Mexico before many years. It is very probable that the country will become united with Oregon with which it will perhaps form a state that is designed to control the destiny of the Pacific."

A year or two later, Waddy Thompson, United States Minister to Mexico, was told of a definite plot to separate California from Mexico, and asked if his government would be willing to surrender title to Oregon so that California might unite with the latter to form a great republic. Among the American residents of both territories the plan was frequently discussed; and it was prophesied that if the union should ever be accomplished, a new empire would arise on the Pacific, whose capital, as at least one writer predicted, located on the Bay of San Francisco, "possibly on the site occupied by the miserable village of Yerba Buena," would become within the century one of the great commercial centers of the world. One man, indeed, Lansford W. Has-

tings, whose activities as an emigrant guide have already been spoken of, had in mind the definite purpose of making himself president of the new republic!

A second proposal put forward between 1836 and 1845 was the union of Texas and California. The Texas Congress, in fact, at one time proposed to extend their national boundaries to embrace California, but the idea was given up because the territory was too large and sparsely populated to be governed by a "young republic." Jackson also, as has been noted, urged the same plan upon the Texan Minister in 1837, but to no better purpose.

After 1840, however, the activities of Hastings and other potential filibusters gave new impetus to the proposed union of Texas and California. The movement was also stimulated by the demoralized conditions existing in the latter province. So strong was the idea by 1844 that the American Chargé at Mexico City warned Calhoun, then as Secretary of State actively interested in the annexation of Texas, that his plans would be completely thwarted if Texas and California should ever be united. In such case, said Calhoun's informant, Oregon and the disaffected provinces of northern Mexico would join the movement. Texas would then no longer seek admission to the United States, but as head of the new confederation "would prove a dangerous rival both to the cotton interests of the South and the manufactures of the North."

A little later, Sam Houston, either to frighten the dilatory United States Congress into favorable action on Texas annexation, or with the dream of an empire before his eyes, brought forward the plan of uniting Texas, California, and Oregon with Chihuahua and Sonora to form a great republic which would "not be less than a rival power to any of the nations now in existence." Had the United States failed to annex Texas, unquestionably Houston would have attempted to carry out his plan of uniting the latter with California, thus giving to the enlarged republic a dominant position on the Pacific and assuring for it a great commercial future.



With the annexation of Texas by the United States, the proposed union of Texas and California automatically fell to earth. This, however, did not mean the end of the movement for the independence of California by the American residents of the province, a program distinctly different from that undertaken by Larkin (as sketched in the preceding pages), and tacitly approved by the administration. The former plan looked to foreigners for its impetus and direction; the Polk-Larkin plan relied upon native leadership and initiative for its success. With careful handling there was no reason why these two movements should prove antagonistic to each other. But too great haste by the Americans (the most of whom of course were ignorant of the program Larkin had set on foot), or disregard on their part for the feelings of the Californians, would certainly drive the latter back into the arms of Mexico, defeat the project of a peaceful separation from the home government, and bring about civil war, not between California and Mexico, but between Americans and Californians.



CHAPTER XIV

CALIFORNIA, GREAT BRITAIN AND THE UNITED STATES

In the preceding chapter the course of California events was brought down to the outbreak of the Bear Flag Revolt. It is now necessary to consider the rumored designs of Great Britian to annex the province and the influence these exerted upon Polk's policy of annexation.

As already pointed out, it is almost a truism to say that nearly every acquisition of territory by the United States has been hastened by the reported designs of some European nation upon that territory. Jefferson saw a grave menace in the French control of Louisiana; Jackson was even more concerned over the British activities in Texas; Polk professed to be alarmed at the English designs on California; Frémont and the Bear Flag insurgents asserted that their uprising alone saved that territory from British hands. How far were these fears regarding British designs on California justified by actual conditions, or based upon reasonable grounds?

One of the earliest indications of English interest in California appeared in 1839 with the publication of Alexander Forbes' "*History of California.*" Forbes, who was British Vice-Consul at Tepic, had never been in California but was pretty thoroughly informed as to conditions there, and knew also of the demoralization existing in the Mexican government. His book, which had a wide circulation in the United States as well as in England, contained much historical information; but its real purpose, as Forbes frankly stated, was to encourage the colonization of California by British subjects. The author even went so far as to outline in considerable detail a plan for the cession of the province as a means of satisfying a debt of $50,000,000, represented by Mexican bonds in the hands of English investors. These creditors

were to be organized into a company to take over California and exercise in it much the same powers of sovereignty that the British East India Company enjoyed in India.

Forbes' history, coming at a time when American suspicions of Great Britain were already aroused, created a popular impression that what the author advocated had actually been begun. The Baltimore *American*, for example, expressed this general sentiment in the following words:

"The vast indebtedness of Mexico to Great Britain is well known. As a convenient mode of cancelling her obligations, nothing is more probable than that the former would willingly part with a territory which she cannot occupy, and to which, in the course of things, she could not long extend even a nominal claim. The policy of the British government looks toward nothing more favorably than to the acquisition of territory in different parts of the world. The possession of California would strengthen her in carrying out her pretensions to the Oregon country, which she not only claims, but already occupies by the agency of trading companies. The whole coast of the Pacific would thus be in the grasp of a powerful nation—a nation that never lets slip an occasion of extending the limits of her domains. To make the Rocky Mountains the boundary of the United States on the west; to hold the spacious valley between the ridge and the ocean, running down to the bottom of the peninsula of California, thus possessing the seaboard, by means of which the commerce with China and the East Indies would be secured to British interests—this would be an attainment worthy of no small effort on the part of Great Britain."

Within the next few years such warnings as that issued by the Baltimore *American* against British designs on California appeared in many other magazines and newspapers, without geographic distinction, throughout the United States. As the tension between the two countries increased during Tyler's administration and the public mind became more and more inflamed with anti-British feeling, these warnings grew both in number and intensity, until in January, 1846, even the *American Whig Review*, one of the most thoughtful journals of its day, frankly declared that the purpose of England in California was so inconsistent



with the interests and safety of the United States that this country could not permit its accomplishment under any circumstance.

Much more significant than the popular fear of English domination in California during these years, was the genuine anxiety prevalent in government circles lest British officials should defeat the American plans for annexation, and set up some form of British control that would shut the United States away from the Pacific and fix the Rocky Mountains as the westward limit of her development.

This suspicion of British designs served as the background for much of the American policy toward California and Mexico for some years prior to 1846. Its influence appears certainly as early as 1842, when Commodore Jones, over-zealous for the interests of the United States, seized the port of Monterey. As described in a previous chapter, this action was due to the erroneous belief that war between Mexico and the United States had actually broken out. The haste with which Jones moved, however, was not so much to forestall Mexico, as to checkmate the secret plans of England. In explaining his intended course, the American commander, while on his way to Monterey, wrote the Secretary of Navy as follows:

"The Creole affair, the question of the right of search, the mission of Lord Ashburton, . . . the well founded rumor of a cession of the Californias, and lastly the secret movements of the English naval force in this quarter . . . have all occurred since the date of your last despatch. Consequently I am without instructions . . . upon what I consider a vital question to the United States . . . [namely] the occupation of California by Great Britain under a secret treaty with Mexico."

Jones was by no means the only one in government circles who looked askance at the California plans of European nations. From Mexico City, Waddy Thompson, the American Minister, insistently called the attention of the State Department to the menace of British and French aggression in California, and urged this as an additional necessity for

the annexation of the province by the United States. In fact nearly every letter Thompson sent, whether to Webster, or to President Tyler, carried this note of warning.

"I have information upon which I can rely," he wrote under date of July 30, 1842, "that an agent of this government is now in England negotiating for the sale, or what is precisely the same things, the mortgage of Upper California for the loan of fifteen millions. In my first despatch I glanced at the advantages which would result to our country from the acquisition. Great as these advantages would be, they sink in comparison with the evils to our commerce and other interests, even more important, from the cession of that country to England."

A later despatch of January 30th, 1843, had this to say of the situation:

"I know that England has designs on California and has actually made a treaty with Mexico securing to British creditors the right to lands there in payment of their debts and that England will interpose this treaty in the way of a cession of California and that in ten years she will own the country."

Thompson's successors in charge of the American legation in Mexico, without exception, emphasized, as he had done, the danger of British control in California. For example, in October, 1844, Duff Green, Calhoun's confidential agent in Mexico, wrote to his superior in the following vein:

"Permit me to call your attention to the Mortgage on the Californias. [In a previous paragraph Green fixed the amount of this mortgage at twenty-six million]. I am told that it contains a condition that if the money is not paid in 1847, the creditors shall take possession of the country. The British Consul General here is the agent of the creditors. I have endeavored to obtain a copy of the Deed, but cannot do it without paying fifteen hundred or two thousand dollars for it. Permit me to say that it is important that you should obtain this through our minister here or in London, as the possession of California will necessarily command the settlements on the Columbia."

Soon after this, rumor of a new plan for ceding California to Great Britain, through secret negotiations between Santa

Anna and the English Minister, reached Calhoun from Shannon, who was then in charge of American interests in Mexico. Santa Anna had just experienced one of his numerous reverses. A revolutionary party, after overturning the government, had seized his person and taken from him a number of compromising documents. The new administration had published certain parts of these documents to discredit Santa Anna with the Mexican people, and laid the rest in secret session before Congress.

"From a portion of this correspondence," wrote Shannon, "the fact has been disclosed that a negotiation was going on between President Santa Anna and the English Minister for the sale and purchase of the two Californias. . . . The English Minister has no doubt in this matter acted under instructions from his government; it may therefore be assumed that it is the settled policy of the English government to acquire the two Californias. You are aware that the English creditors have now a mortgage on them for twenty-six millions."

The reports of English ambitions, which reached Washington and the American public from Mexico, were amply supplemented by direct information from the Pacific Coast. The upshot of the situation is not difficult to understand. By 1845 there were few Americans, either in their own country or in California, who were not honestly convinced that the fate of the trans-Rocky Mountain west lay in the balance between the United States and Great Britain. The same conviction prevailed in official circles and grew stronger as the months passed on.

Two questions next demand an answer—to what extent were these reports of British purpose based upon substantial fact; and how far were they believed and acted upon by President Polk in his California policy?

The first question can be answered with a fair degree of definiteness. At the time the California situation was approaching a crisis, the government of Great Britain, for once in its long history, had become temporarily satiated with colonial possessions and was not keenly enough in-

terested in California to engage in an active campaign for annexation. This did not mean, however, that the persistent rumors of British plans were mere products of the American imagination, manufactured as annexation propaganda, or the result of national hysteria. For as a matter of fact, every report of this kind of any consequence had behind it sufficient truth to justify its acceptance by the American public.

The warning, so frequently voiced, that Mexico planned a cession of California to England to cancel or guarantee her debt to British creditors, rested upon an official agreement entered into in 1837. Under the terms of this arrangement, English holders of Mexican bonds, instead of being paid in cash, a commodity of which Mexico lived in chronic want, were to be given land, of which Mexico had an infinite supply, for colonization purposes. In speaking of this plan the British Minister to Mexico, Sir Richard Pakenham, after calling attention to the impossibility of colonizing other portions of Mexico, wrote as follows in the summer of 1841:

"I believe there is no part of the world offering greater natural advantages for the establishment of an English colony than the province of Upper California; while its commanding position on the Pacific, its fine harbours, its forests of excellent timber for ship building as well as for every other purpose, appear to me to render it by all means desirable from a political point of view, that California, once ceasing to belong to Mexico, should not fall into the hands of any power but England; and the present debilitated condition of Mexico and the gradual increase of foreign population in California render it probable that its separation from Mexico will be effected at no distant period."

The project urged by Pakenham from Mexico City, as previously stated, was one of the chief grounds of American anxiety. Another was the presence of the Hudson's Bay Company in the province. This company was not only sending trapping parties down from Oregon, but had recently established a regular trading post at San Francisco and was seeking large grants of land from the California



government, while its employees were cultivating farms, building mills, and otherwise showing their intention of making the company's occupation permanent. That this interest in the political future of California was not a mere figment of the American imagination is clearly seen in the following extract from a letter written by Sir George Simpson, the powerful head of the Hudson's Bay Company, who was then on a tour around the world. Incidentally, the letter was designed for the eyes of the British Cabinet. It was written from Honolulu in March, 1842, after Simpson's visit to the San Francisco station. In it he said of California:

"The country from its natural advantages, possessing, as it does, the finest harbor in the Northern Pacific, in the Bay of San Francisco, and capable, as it is of maintaining a population of some millions of agriculturists might become invaluable to Great Britain as an outlet to her surplus population, as a stronghold and protection to her commerce and interests in these seas, and as a market for her manufactures; and as the principal people in the country and indeed the whole population seem anxious to be released from the Republic of Mexico. . . . I have reason to believe they would require very little encouragement to declare their independence of Mexico and place themselves under the protection of Great Britain. Indeed it has been communicated to me, confidentially, and I feel authorized to say that the presence of a British cruiser on the coast with a private assurance of protection from Great Britain and appointments being given to the present higher authorities and officials which would not involve a larger sum than a few thousand pounds per annum, would be sufficient inducement to declare themselves independent of Mexico and claim the protection of Great Britain."

This sympathetic attitude of many of the California leaders towards Great Britian, to which Simpson referred, was another disturbing element to the American peace of mind.

The activities of such British officials as the English Minister, Pakenham, in Mexico City; of Barron, Consul at Tepic; and of Admiral Seymour, in command of a British squadron in the Pacific, also furnished a substantial founda-

tion for the common belief that England had designs upon California. Whatever may be said as to the indifferent attitude of the British government itself toward the province during this period, it is nevertheless certain that most British officials, both in Mexico and in California, were actively engaged, either with outright plans for annexation, or with measures to defeat the ambitions of the United States.

Under these conditions, it would seem both natural and excusable for Americans, who had no means of penetrating these secrets of the British Cabinet, to accept the attitude of the English agents as a correct index of the purpose of the British government, especially as the peculiar tradition of that government was a tradition of colonial expansion.

Nor was the British government itself, even in the brief period from 1842 to 1846, when she seems to have fallen away temporarily from her settled imperial policy, entirely indifferent to the annexation of California. On December 31, 1844, Lord Aberdeen, who then held the Foreign Office, wrote Bankhead at Mexico City and Barron at Tepic in a tone very similar to that employed by Buchanan in his letter to Larkin of October 17, 1845. Though his government would not aid a movement for independence, wrote Aberdeen in these despatches, nor promise, even after successful revolt, the protectorate for California which Barron had previously urged; yet it was none of the business of the British government to discourage such a rebellion, nor of British officials to warn Mexico of the likelihood of its occurrence. Bankhead, indeed, was cautioned specifically against giving any information about California affairs to Mexican officials; and Barron was instructed to make the Californians understand " that Great Britian would view with much dissatisfaction the establishment of a protectoral power over California by any other foreign state."

With this sketch of the manifestations of English interest in California before Polk came into office for a background, it is pertinent to ask how far the latter's policy was influenced by the possibility—or rather probability—of



British designs conflicting with his own plans of annexation. The answer to this question cannot be as definite as the answer to a mathematical problem. But enough evidence is at hand to show that nearly every movement Polk made with regard to California was, in some measure, based upon the English situation.

In the first place, entirely apart from the California issue, Polk's suspicions of Great Britian were fed by many springs. The Oregon controversy had not bred a spirit of friendliness between the two countries; and for more than two years the press on either side of the Atlantic had been carrying on a mutual campaign of criticism and vituperation. British influence had also appeared here, there, and everywhere in the critical issue of Texas annexation. Besides these more definite and concrete factors, there was the bitter anti-British feeling so prevalent in the southwest of Andrew Jackson's day. Polk, protégé, friend, and political disciple of the hero of New Orleans, was certainly not likely to be overly charitable in his judgments of English policy.

Polk's plans for annexation were not fully matured before reports of British designs on California, similar to those which had come to Tyler, began to reach Washington. The administration's agent, William S. Parrott, wrote from Mexico on May 13, 1845:

> "Great Britain has greatly increased her Naval Forces in the Pacific, the object of which as stated is to take possession of and hold Upper California, in case of war between the United States and Mexico."

A little later Parrott also called Polk's attention to a plan by which a "young Irish Priest by the name of McNamarrah" hoped to colonize California with immigrants from his own country. Late in 1844 the details of this plan, which afterwards received considerable fame as the cause of Frémont's activities in connection with the settler's revolt, were laid before Bankhead who had taken Pakenham's place as British Minister to Mexico. Bankhead apparently took only an indifferent interest in them; but McNamarrah (or McNamara as

the name is properly spelled) pressed the idea so successfully before the Mexican government that he was permitted to go to California to carry out his dream. On July 4, 1846, so Polk was told, the California Assembly voted the young Irishman a grant of 3,000 leagues for colonizing purposes. This act, said Larkin, the President's informant, constituted "a new feature in English policy and a new method of obtaining California."

Other despatches from Mexico in the late summer and fall of 1845 brought additional reports of British activities in California. But the most vigorous warning on the subject was contained in a communication to the State Department from Larkin at Monterey. This despatch, dated July 10, 1845, was received at Washington early in October. Its influence upon the administration was strikingly shown in much of the correspondence the State Department subsequently had with its agents both in Mexico and in England.

In his letter Larkin pointed out three definite instances of British activities in California. The first of these was the part played by the Hudson's Bay Company in the Micheltorena revolution. The second was the financial aid supplied the Mexican government by two British houses in Mexico for sending an expedition to put down any revolution that Americans might organize in the province. And the third was the appointment of a British agent, who, ostensibly serving in a consular capacity, was really set to carry out some secret plans against the interests of the United States in California.

The British agent, to whom Larkin referred in this communication, was James Alexander Forbes, a resident of California for many years.[1] His interest in extending English control over the province may be judged from the following extract from a letter he addressed to Barron at Tepic, on September 4, 1844:

"I feel myself in duty bound to prevent this fine country from falling into the hands of any other foreign power than that of England. I repeat that it is impossible for Mexico to hold Cali-

[1] This Forbes was *not* the author of the *History of California*, previously referred to.



fornia for a much longer period, and if the Govt. of Great Britain can with honor to itself and without giving umbrage to Mexico, extend its protection to California, . . . I should presume that it would be impolitic to allow any other nation to avail itself of the present critical situation in California for obtaining a footing in this country."

Forbes afterwards showed his zeal on England's behalf by organizing *juntas* favorable to British interests among the Californians, and by protesting against Frémont's presence in the province at the time of the Hawk's Peak affair.

About this time, also, reports came to the administration of another movement, the success of which would quite certainly defeat American ambitions on the Pacific. This was the plan of establishing a monarchy in Mexico and calling in a European prince to occupy the newly created throne. John Black, United States Consul in Mexico City, first drew Polk's attention to the movement in a despatch dated December 30, 1845. According to the report, a revolution had already been started to carry out the monarchist program which France, Spain, and England were pledged to support. As a matter of fact, both Bankhead, the British Minister, and Aberdeen, were well disposed toward the movement; and as corroboration of Black's report, word came from the American Ambassador in London, Louis H. McLane, that the leading powers of Europe were planning "to compose the Mexican trouble by giving her a Monarchial form of government and supplying the monarch from one of their own family." It was afterwards rumored that the new sovereign would be the Spanish prince, Henry, the rejected suitor of Queen Isabella.

What McLane and Black had written was further confirmed by despatches from Dimond, American Consul at Vera Cruz; and later by reports from John Slidell. The chief object in setting up this monarchy, according to semi-official information, was to defeat the Texas and California program of the United States by European intervention.

While these various reports were reaching Washington, and the British agents in Mexico were vigorously urging

the importance of the California situation upon their home government, the Mexican representatives in London were anxiously seeking English aid to defeat the program of the United States. The British Cabinet, by this time bravely over its indifference to the fate of California, was almost as eager as Mexico to find some course of action which, while not involving war, would effectually block American expansion on the Pacific. The Mexican representative in London, who bore the interesting name of Murphy, believed that if the Oregon question were once adjusted and England could secure the slightest coöperation from France, she would not balk even at the use of force to prevent California from falling into American hands.

Various plans were brought forward by the British and Mexican diplomats under which England, while remaining nominally at peace, might be made the custodian of California, especially in case of war between Mexico and the United States. One of these called for the cession of 50,000,000 acres of land in the province to a British company; another, proposed by Lord Aberdeen, involved the establishment of an independent government in California, which should be recognized by Mexico and guaranteed by England and France.

In California, also, affairs were progressing in a way to give increasing reason for uneasiness to the American government, could they have been fully known. Here the leaders in the British cause were James Forbes, Vice-Consul, and Admiral Seymour of the English fleet. Seymour, especially, was anxious to secure the consent of his superiors for active measures in the California issue; but owing to the nature of his instructions he had to content himself with sending one of his vessels, the *Juno*, under Captain Blake, to California waters to counteract so far as possible the growing peril of American intrigue. Blake carried out his orders, with the aid of Forbes, to the best of his ability, working especially to influence Pío Pico and other southern leaders against the idea of an American protectorate.

About this time, also, a call was issued by the California officials for a meeting at Santa Barbara on June 15th, 1846, of



a *consejo general* to deal with the desperate situation which the province faced. It was commonly believed that this assembly would declare California independent and seek the protection of some outside power—England, France, or the United States.[2]

Learning of this, Admiral Seymour himself sailed from San Blas to California to make, if possible, a last stand for the British cause. The die, however, had already been cast. When Seymour reached Monterey, he found Commodore Sloat securely in possession, and the American flag floating over the quiet town.

Enough has already been said to show that President Polk had ample reason for believing that England was determined to possess California. While there is no direct evidence to show that he deliberately brought on the Mexican War as a means of defeating this contingency, by hastening American occupation of the province, there is at least sufficient grounds to make such reasoning wholly logical. And whether one is warranted in going quite so far as to say that the report of British activities in California led the administration to turn from a waiting policy (which gave every evidence of eventual success had the English factor been removed), to one of immediate conquest, there at least runs through all the diplomatic correspondence of the time an insistent note of alarm over this threatened danger.

In Buchanan's despatch of October 17, 1845, appointing Larkin Polk's confidential agent, great emphasis is laid upon British interests in California. Larkin is repeatedly warned to " exert the greatest vigilance " to prevent a

[2] The French government, like the British and the American, cherished its own ambitions to acquire California. It contented itself, however, aside from diplomatic maneuvering in Mexico, with sending an occasional representative to investigate conditions in the province. The most important of these, after the close of the Spanish régime, were Petit Thouars and Duflot de Mofras. The former, in command of the frigate *Venus*, in which he was making a voyage around the world for scientific purposes, touched on the California coast in 1837. Mofras came direct from Mexico on a quasi-official mission in 1841. Both Mofras and Petit Thouars afterwards published interesting accounts of their observations and experience in California.

European nation from acquiring possession of the province; and assured, in the most definite language, that the President "could not view with indifference the transfer of California to Great Britain or any other European Power."

Similarly, McLane, the American Ambassador at London, was told that a great flame "would be kindled throughout the Union should Great Britain obtain a cession of California from Mexico or attempt to take possession of that province." Slidell, having been informed that the United States would use every means to prevent California from falling into European hands, was instructed to ascertain whether Mexico had any intention of ceding it to France or England and to exert all his energies "to prevent an act, which if consummated, would be fraught with danger to the best interests of the United States."

In Polk's public utterances, also, this fear of English advance into the province found a foremost place. Indeed it became the distinct motive for his re-affirmation and enlargement of the Monroe Doctrine—one of the first steps, incidentally, by which that famous policy has grown to its present significant position. And certainly there was no trace of hypocrisy in Polk's words when he thus wrote at the close of the Mexican War, regarding the acquisition of California:

"The immense value of ceded territory does not consist alone in the amount of money for which the public lands may be sold . . . the fact that it has become a part of the Union and cannot be subject to a European power, constitutes ample indemnity for the past."

One wonders, indeed, what might have been the effect upon the destiny of the United States if, during those critical months preceding the Mexican War, a more imperialistic cabinet had come into power in England and a less resolute man had been President of the United States.

This chapter has been based chiefly on the monograph of Cleland, already cited; and on Adams, E. D., *British interests in California*, in the *American historical review*, XIV, 744-763.



and over-anxious to assert their Anglo-Saxon superiority. Among them, too, were the bitter memories of the recent atrocities of Mexican troops in Texas—memories which even to-day the lapse of nearly a hundred years has scarcely effaced from the border states. Consequently, with all the self-assurance of the American settlers along the Sacramento, there was intermingled a deep-seated fear of the fate that might await them if the California officials, through treachery or surprise, should get the foreigners of the province completely under their control.

Indeed, while the Californians as a whole never dreamed of resorting to such harsh measures to hold the Americans in check, some color was given to this fear by a few isolated instances. More than one fur trader, like Smith and the Patties in the preceding decade, had been unpleasantly dealt with on the ground that he had violated some provision of Mexican law. More recently still, a very considerable body of foreigners had been brutally seized and sent to Mexico by the California authorities. The details of this incident, commonly spoken of as the Graham affair, were briefly as follows:

In the spring of 1840 rumor got abroad that a number of foreigners, American trappers chiefly, with some English citizens of rather undesirable reputation, were planning a movement for independence. These men were in California without passports, contrary to Mexican law; but they might have staid on unmolested, as did many another foreigner in violation of the same law, if they had not made themselves obnoxious to the local officials. Typical of the lot was Isaac Graham, the Tennessee trapper, whose name has already appeared in these pages in another connection. Like many another American of his calling, Graham had little regard for the dignity of California law, and probably less respect for those empowered to administer it. He had also intermeddled with local politics and acquired considerable fame for his participation in the revolution of 1836. His attitude had subsequently become so domineering that Alvarado and Castro, whom he had supported in the revolu-



tion, were determined to get rid of him and his kind by any means at their command.

Accordingly one night, when Graham was asleep, a company of soldiers under Castro's orders surrounded his cabin, and when he appeared in the doorway, fired point blank at the startled American. Luckily for Graham, none of these shots took effect, though his shirt was burned by the powder in a number of places. He was then unceremoniously seized and carried off to jail. In similar manner, about a hundred other foreigners were arrested in various parts of California and thrown into prison.

After a farcical trial, some forty of the prisoners were then placed in irons and shipped down the coast to San Blas, suffering severely on the voyage from harsh treatment and because of insufficiency of food, water, and fresh air. Upon reaching Tepic, they were kept in confinement while their case was being disposed of in Mexico City. Here the pressure of the British and American governments was effectually exerted to secure their release; and Graham and many of his companions were returned to California at Mexican expense. In addition, nearly all the victims of the affair filed large claims against the Mexican government for their illegal arrest and harsh treatment.

While this episode undoubtedly left some bitter memories, and created an uneasy fear among the foreign residents of California, it was not at all in keeping with the general attitude of California officials toward American settlers. Some measures, it is true, were tentatively proposed to restrict the overland immigration, but these nearly all originated in Mexico, and found expression only in high sounding proclamations, or in decrees that the Californians would not, or could not enforce.

In fact the only proposals of any consequence that might have exerted serious influence upon the status of foreigners were a recommendation by Vallejo and Castro to purchase New Helvetia from Sutter, and a plan of the Mexican government to send an expedition into California to keep the activities of foreigners confined to proper bounds. The



possession of Sutter's Fort, because of its strategic location, would have given the Californians an important check on overland immigration and an effective control of the foreign settlers in the Sacramento Valley. Similarly, a well-equipped, properly disciplined force of Mexican troops (if such a thing existed) might easily have dampened revolutionary ardor among the Americans, or at least kept it from blazing forth into action.

Neither of these measures, however, brought forth any practical results. The proposal to purchase New Helvetia was buried somewhere in the vast graveyard of the Mexican archives. And though an expedition was actually gotten under way by the central government to save California, it broke down before leaving Mexico under endless charges of corruption and mismanagement. And the vagabond troops of which it was composed (who would have been an aggravation instead of a help had they reached their destination) found ready employment under the standard of revolt which Paredes was just then raising against Herrera.

The Californians themselves, like the home government, made no practical efforts to check the growth of foreign domination. Juntas were held and wordy proclamations issued without number. But the frontiers remained unguarded; and the settlers, after the Graham episode, did almost as they pleased. Naturally, however, the assumption of superiority on the part of foreigners, was resented by the California aristocracy. Thus, Guerrero evidently voiced a common sentiment, when he wrote Castro early in 1846 that the Americans apparently held the idea that because God made the world and them also, that what there was in the world belonged to them as sons of God. And Castro, probably in some heat, declared before an assembly at Monterey,

> "these Americans are so contriving that some day they will build ladders to touch the sky, and once in the heavens they will change the whole face of the universe and even the color of the stars."

Yet neither Guerrero nor Castro nor any one else put forth a definite effort to prevent the Americans from changing the destiny of California.

As has been said, the sovereignty of Mexico over California, as every one but the Mexicans saw, was at an end by 1846. She could no longer command the loyalty of her subjects there by force, nor hold it by affection. At the same time, Polk's second plan of acquiring California, through the initiative of native uprising or of peaceful separation from Mexico, had before it every prospect of success. At this juncture occurred the Bear Flag Revolt. This movement, though sometimes spoken of as a turning point in California destiny, was actually shorn of much of its importance by the outbreak of the Mexican War. Tradition, however, has given it a significance which cannot be ignored. To the popular mind, at least, it will probably always stand as the very embodiment of pioneer spirit and the decisive stroke by which California was saved to the United States.

The first participants in the revolt consisted of a handful of landholders in the Sacramento Valley, and a somewhat larger number of hunters and trappers from the same region. Less than thirty-five men took part in the initial phase of the movement; but back of these, lending them something more than moral support, stood John C. Frémont and the members of his well armed exploring expedition.

Even at this late date, however, it is impossible to say just what relations Frémont and his command sustained to the actual revolt. The question is probably the most hotly debated point in California history, nor is anything like unanimous agreement upon it ever likely to be attained. The facts, as nearly as can be determined, are these.

In the spring of 1845, Frémont, with a party of sixty-two men, six of whom were Delaware Indians, started from St. Louis on a third exploring expedition beyond the Rocky Mountains. The ostensible object of this undertaking was to discover the most feasible route from the Mississippi to the Pacific. But coupled with this purpose was an ever growing desire on Frémont's part to revisit California

and to examine in more detail a country over which he had already become an ardent enthusiast.

The party reached Walker's Lake when winter was already at hand. Food was none too plentiful, and the danger of becoming snow-bound in the Sierras led to a division of the company. Fifteen men under Frémont set out to cross the mountains to Sutter's; the main body of the expedition, under command of Joseph Walker, skirted the mountains southward, intending to cross from Owen's Valley into the San Joaquin through Walker Pass. It was understood that the two parties should come together again as soon as Frémont could procure supplies from Sutter's establishment and make his way to the southern end of the San Joaquin. The rendezvous was fixed at a stream known to the explorers as the "River of the Lake."

Crossing the Sierras without noteworthy incident, Frémont secured the needed supplies from the obliging Sutter and then hurried on to the appointed meeting place with the company under Walker. Reaching the banks of the King's River, which he took to be the stream agreed upon as the meeting place, and finding no signs of the other party, Frémont waited several days, vainly hoping for Walker's appearance, and then retraced his way to Sutter's. Leaving his men here with instructions to proceed later to Yerba Buena, Frémont accompanied Leidesdorff, the United States Vice-Consul, to Yerba Buena and Monterey. At Monterey he was entertained by Larkin, from whom he learned much concerning conditions in California.

On the 29th of January, while Frémont was still at Monterey, Prefect Manuel Castro pointedly inquired of Larkin what American soldiers were doing in the province without permission from the California officials.[1] Frémont replied to Castro's communication in a frank, conciliatory manner, explaining that his expedition was purely scientific in its character and that most of his men had been left in

[1] In his note Castro referred only to the members of Frémont's company, which by this time was encamped at Yerba Buena, and made no reference to the larger party under Walker, whose presence in the province was as yet unknown to the Californians.

the unsettled interior of the province, while he and a few companions had come to Monterey merely to purchase badly needed supplies for a continuation of their explorations to Oregon. These assurances, which were afterwards reiterated to Alvarado, quieted, temporarily at least, the uneasiness of the Californians, and they accordingly gave Frémont permission to winter in the province, provided he kept his men away from the coast settlements.

While Frémont was thus occupying his time at Monterey, Walker and his command were encamped on the Kern river, many miles south of the King's, wondering what had become of their lost commander and the provisions he had gone in search of, when the two companies separated east of the Sierras. After three weeks of fruitless waiting, Walker then moved northward, expecting to find Frémont at Sutter's Fort.

Upon reaching the Calaveras River, however, Walker learned from a chance hunter that Frémont was in the Santa Clara Valley (whither he had gone from Monterey intending to return to the San Joaquin on another search for Walker); and here the two companies came together about the middle of February, 1846. The combined force then temporarily encamped on the Laguna rancho, south of San José. After only a short stay in this locality, the party began to move leisurely toward the coast; and after crossing the Santa Cruz Mountains by way of Los Gatos, went into camp in the Salinas Valley, some twenty or twenty-five miles from Monterey.

It is not certain what course Frémont intended to pursue from this point onward. There is some reason to believe that he planned to travel down the coast to Santa Barbara; or perhaps to spend a few weeks (until the Oregon route should be clear of snow) in the little valley of the Coast Range near Salinas, which had seemed so like paradise to the half starved immigrants of the Chiles-Walker party a few years before. But whatever his purpose, he seems to have had no thought that the presence of the company near Monterey would be construed as a violation of his understanding with the California officials.

[redacted]

[illegible] José Castro Lieut Col of the Mexican army
and commander in Chief of the Department of Cal.

Fellow-citizens: A band of robbers com-
manded by a Capt of the U.S. [illegible] Fremont
have, without respect to the laws & authority of
the Department daringly introduced themselves
into the country and disobeyed the orders both
of your Commander in Chief & of the Prefect
of the district by which he was required to
march forthwith, out of the limits of our
Territory; & without answering these orders
he remains encamped at the farm "Natividad"
from which he sallies frequently committing
depredations, and making scandalous Observa-
tions.

In the name of our native country
I invite you to place yourselves under my
immediate orders at head quarters, where
we will prepare to chance the blow which
(should it not be done) would destroy our
liberties & independence for which you
ought always to be ready to sacrifice yourselves, as
will your friend & fellow citizen

Head quarters at San Juan

8th March 1846 Signed José Castro

CASTRO'S PROCLAMATION AGAINST FRÉMONT

(From the Original Ms. in the Henry E. Huntington Library and Art Gallery.)



The Americans were surprised and considerably angered, therefore, when peremptory orders came from the authorities at Monterey to leave the province immediately, or take the consequences. Frémont, though perhaps technically in the wrong, refused to obey this blunt demand; and moving his camp to the top of a nearby hill, known as Hawk's Peak, prepared to resist whatever force the Californians might bring against him.

The expected attack, however, did not develop. There was a good deal of bluster and the mustering of a considerable force by the Californians. But inasmuch as the demonstration was probably gotten up chiefly to satisfy the Mexican government, or to quiet the protests of the British Vice-Consul against the presence of the Americans in California, no actual hostilities took place. Frémont, after waiting some three or four days, withdrew under cover of darkness from his fortified position and started for Oregon by way of the San Joaquin and the Sacramento.[2]

While the Hawk's Peak affair in itself amounted to little, its results were most unfortunate. The distrust and antipathy of Frémont's company toward the Californians were greatly increased; and the feelings of the latter were correspondingly ruffled and outraged. Among the American settlers in the Sacramento, also, the incident created much excitement, and it was persistently rumored that the government had planned to expel or seize all foreign residents in the province. In this sense, at least, the episode was one of the most direct causes of the Bear Flag Revolt.

Not long after the Hawk's Peak episode, a messenger from Washington reached Monterey. This was Lieutenant Archibald H. Gillespie of the United States Marine Corps, to whom reference has already been made as the bearer of a copy of Buchanan's dispatch to Larkin, and as a confidential agent of the American government. Though Gillespie had destroyed Buchanan's letter, he had brought most of his

[2] On the opposite page appears a photographic reproduction of a translation of Castro's proclamation against Frémont. Neither the original nor a translation of the proclamation has before been published.

other papers through unharmed. Among these was a packet of letters for Frémont from Senator Thomas H. Benton, Frémont's influential father-in-law.

After a stay of only two days at Monterey, Gillespie hastened on to Yerba Buena where he remained a short time with the American Vice-Consul, W. A. Leidesdorff, and then set out to overtake John C. Frémont. The latter, after reaching the San Joaquin, had moved northward at a leisurely pace, reaching the Klamath Lake region about the middle of May. Here Gillespie overtook the party, and besides delivering to Frémont the Benton letters, acquainted him with the nature of Larkin's confidential appointment and the purposes of the Polk administration, so far as Gillespie himself understood them.

It is not at all strange that the information and despatches brought by Gillespie caused a radical change in Frémont's plans. Instead of continuing his route to the Columbia, he resolved on an immediate return to California. This course was dictated by common sense and lay plainly in the line of duty. Incidentally, it coincided with Frémont's own desires; but had it been otherwise, he could scarcely have gone serenely on his way to Oregon, knowing that events, in which his government was vitally concerned, were rapidly coming to a crisis in California, and that his presence there might change the destiny of the province.

Frémont has been pretty severely handled by his critics for this abrupt return from Oregon. He himself testified that he was led to believe, through certain "enigmatic and obscure" passages in the letters from Benton—passages written, as he says, in a pre-arranged code—that California was in imminent danger of slipping into British hands and that the administration expected him to act on his own initiative to forestall such an eventuality.

Whether Frémont was right or wrong in this interpretation of the situation is really immaterial. The true justification for his return to California lay not in what he read between the lines of Benton's letters; but in the simple fact that a trusted agent of the United States government, the



confidential representative of the State Department and of the President himself, had travelled post-haste more than five hundred miles, from San Francisco to Oregon, through a dangerous and almost unbroken wilderness, to overtake the exploring party and urge its return to the Mexican province. Unless Gillespie made this journey for his health, or out of mere whim, or for some other ridiculous purpose, Frémont had no option in the matter. It was his unmistakable duty to turn back to California.

When Gillespie and Frémont reached the Sacramento, after a serious brush with the Klamath Indians, they encamped at the Marysville Buttes, above the junction of the Feather and Sacramento Rivers. Here rumors came to them of intended hostilities by the Californians against the American residents in the valley. There may or may not have been truth in these reports; but even if the intentions of the native leaders had been unfriendly, it is doubtful, owing to the confusion in the provincial government, if they could have made any serious move against the foreign settlers. Naturally, however, the Americans viewed the situation with a good deal of concern, especially as the hostile demonstration against Frémont in the Hawk's Peak affair was still vividly before them.

This uneasiness gave place to actual alarm when informarion, apparently authentic, spread through the valley that a company of two hundred and fifty Californians was advancing toward the Sacramento, burning houses, driving off cattle, and destroying the grain. In the face of this supposed danger, the scattered settlers in the valley hastily came together to effect a military organization. The natural rendezvous was Frémont's camp, where sixty or more well disciplined men already furnished the nucleus for an effective resistance against any force the Californians might have at their command.

The position of Frémont in this emergency was surrounded by some embarrassment. Having learned probably as much as Gillespie himself knew of the plans of the administration, and believing that California must be secured as

quickly as possible to prevent its seizure by Great Britain (for in spite of much argument to the contrary Frémont was evidently sincere in this conviction), the American commander faced a difficult problem. If he took an active part in organizing a settler's revolt, he would not only lend the uprising the official sanction of the United States government; but would also lay himself open to severe censure, and perhaps punishment, in case the administration later disavowed the movement.

The other horn of the dilemma was equally serious. If the revolt collapsed because Frémont failed to support it, and the American settlers should be killed or driven out of the province—a fate Frémont evidently feared for them—not only would the blame for this rest upon his shoulders, but also the greater reproach, as he saw it, of standing irresolutely by while California passed out of the reach of the United States into the waiting hands of England.

Frémont's course in the emergency has been the object both of unreasonable criticism and of exaggerated praise. He did not save California by his presence in the Sacramento, nor did he take an active part in the first stages of the Bear Flag movement; but he did make the latter possible by giving it his moral support and by secret promises of aid if his assistance should be required. How far he was actually responsible for fomenting the revolt is one of those disputed points upon which there is no possibility of agreement. Putting all partisanship aside, and acknowledging that personal ambition probably played its part, the fair minded historian must still acknowledge that Frémont, viewing the situation in the light of what he knew of California conditions and believing that President Polk had determined upon the acquisition of California, pursued a perfectly natural and not altogether blameworthy course. Unfortunately, claims later made on his behalf were far beyond his actual performances, and his reputation suffered much in consequence.

The first hostile act of the Bear Flag uprising was the seizure of a band of horses which were being driven from

Sonoma to the Santa Clara Valley for the use of General Castro. Rumor reached the Americans at Frémont's camp that these animals were to be employed in the threatened expedition against the settlers of the Sacramento. Encouraged doubtless by Frémont, about a dozen men under the leadership of Ezekiel Merritt started out to intercept the drove. They succeeded, without the slightest difficulty, in surprising the small guard under Francisco Arce and took from them the greater part of the horses. These they brought back to Frémont's headquarters, which in the meantime had been moved farther down the Sacramento. No blood was shed in this encounter, nor were the Californians aware that anything more serious than a robbery had taken place.

The next step was of more significance. Encouraged by their success against Arce and realizing that they had already gone too far for halfway measures, Merritt's company turned their attention to the capture of Sonoma. Originally established to check the Russian advance, this settlement, with the exception of New Helvetia which was only nominally under California control, had become the leading political and military center of the province north of Monterey. Sonoma's chief claim to importance arose from the fact that it was the home of Mariano G. Vallejo, in many respects the most dominant figure among the Californians. Toward Americans Vallejo had always shown the kindliest feeling, and was already pretty thoroughly committed to Larkin's plan of independence.

Under these circumstances, Vallejo and his fellow townsmen were naturally not anticipating any trouble with their American neighbors in the Sacramento. It was with the utmost surprise, therefore, that the General and his family awoke about dawn on the quiet Sunday of June 14th to find themselves surrounded by a band of thirty-three armed men, dressed for the most part in trapper's garb, and evidently come on hostile business. At first Vallejo had considerable difficulty in finding out what the Americans wanted; but through an interpreter he soon learned that they had

come to make him prisoner and take possession of the town.

The leaders of the attacking force—Merritt, Semple, and William Knight—undertook to explain to Vallejo the purpose of the uprising and to arrange the terms of his capitulation. The conference, held in the prisoner's house, made such slow progress that the rank and file of the company outside grew impatient and deposed Merritt from command, electing John Grigsby in his stead. The new leader made no faster headway than the old, and William B. Ide was accordingly sent in to speed up the negotiations. When the latter entered the room, he says, he found most of the conferees too far gone for business. Vallejo's wine and aguardiente, taken on empty stomachs, had proved almost too much for the American commissioners. At last, however, the articles of capitulation were completed and signed. General Vallejo, his brother, Captain Salvador Vallejo, and Colonel Victor Prudon were sent as prisoners of war to Frémont's camp, under positive assurance that no harm should come to them or to their property.

In the meanwhile Ide was elected captain of the company in the place of Grigsby, who seems to have become somewhat alarmed at the progress the movement was taking under his leadership; and the Republic of California was soon brought into being. As a first step in the creation of the new government, William Todd, an enthusiastic member of the revolution, designed the flag. This was made from a piece of unbleached cotton cloth, five feet long and three feet wide. In the upper left hand corner a five pointed star was roughly painted with red ink, while facing this stood the crude figure of a grizzly bear, which gave both the flag and the republic its familiar name. A strip of red flannel on the lower edge of the cotton and the words *CALIFORNIA REPUBLIC*, done in red, completed the design.

When the flag had been completed, Ide prepared a proclamation in which he set forth the justification and purposes of the revolution. The next move was to organize permanent. Nothing much could be done as yet in this



direction, but a general statement of the principles of the movement was drawn up, which Ide evidently thought might serve as the basis for a more elaborate constitution later on.

So far the uprising had proceeded without bloodshed; but a few days after the taking of Sonoma, two Americans, Cowie and Fowler, were captured by a band of Californians and unceremoniously put to death. Whether this was the act of an individual or the result of official orders cannot be determined with certainty.[3] It led, however, to unfortunate reprisals in which a few of Frémont's men, under Carson's command, ambushed and shot three rather inoffensive Californians.

As the movement progressed, the force under Ide received considerable reënforcement from settlers in the Sacramento and around San Francisco Bay. Frémont, having resigned his commission in the United States army, also openly joined the uprising, thus lending to it the effective support of his highly skilled company and strengthening the idea, already nearly universal, that the United States government was behind the whole affair. The Californians in turn were doing their utmost to subdue the revolt. It had been necessary first for Castro and Pico to compose their differences, which in fact had already reached the stage of civil war; and then, after issuing the appropriate proclamations, without which no Californian could commence a serious undertaking, to muster the inadequate provincial forces against the American revolutionists.

Castro, whose headquarters were fixed at Santa Clara, succeeded in putting an army of a hundred and sixty men into the field. These were divided into three divisions, only one of which—that lead by Joaquin De la Torre—ever made contact with the Americans. This was in the nature of a surprise skirmish which occurred between Petaluma and San Rafael. In it one of the Californians was killed by the American fire.

[3] Responsibility for the act has been laid at the door of the notorious Three Fingered Jack. See Chap. XXI.

In the south Pico still entertained doubt as to the purity of Castro's motives and published appeal after another to the fellow citizens to take up arms against the vile Americans.

"My Mexicans," he wrote in one of the most lurid of these proclamations, "My Mexicans in all haste in pursuit of the treacherous foe; pursue him to the inmost wilderness; punish his audacity, and in case we fail of it form a cemetery where posterity may remember to the glory of Mexican history the heroism of her sons. Californians run swiftly with me to crown your brows with the fresh aureole of undying glory: in the fields of the north they are warriors ready to spring to your noble foreheads."

In spite of such appeals, however, both the citizenry of Los Angeles and of Santa Barbara, where Pico was then known, met the emergency with such indifference that when the governor marched north to form a junction with Castro, he had at his disposal only about a hundred men. The two California leaders, long bitter rivals, met with a show of friendship at the peaceful ranch of Santa Margarita, near the Mission of San Luis Obispo. What they might have done against the revolting Americans will always remain a matter of conjecture: for by this time the Bear Flag was a thing of the past. Its activities had been superseded by agencies of greater magnitude. The news of war between the United States and Mexico had at last reached California.

What place should the Bear Flag movement have in California history? It was neither authorized by President Polk nor in keeping with his California policy. It put an end to Larkin's hope of peaceful annexation; and was unquestionably responsible for much of the ill-will among the native inhabitants which later made necessary the forceful conquest of the province. It was never a general movement among the Americans in California, many of whom condemned it out of hand, but was confined to a limited area and carried out largely by trappers instead of by permanent residents. It did not save California from falling into British hands, nor hasten its acquisition by the United States. This much the historian must now admit.

Yet the sarcastic criticism so often passed upon the movement and those who participated in it, since Bancroft and Royce set the fashion, is entirely out of place. Merritt, Semple, Ide, and their companions, it is true, had no respect for California law and institutions, and too little acquaintance with conditions in the province. They were also in no actual danger at the hands of Castro before the seizure of Sonoma, though they had substantial reason to think they were. They could not know the actual plans of their government for acquiring California by peaceful means, but they did know that a deep seated conviction prevailed throughout the United States that annexation must sometime, somehow, be brought about.

If, at the outset, the movement was only a local affair, with no very definite purpose or plan of procedure, yet it soon gave promise of much larger proportions. If its actual accomplishments were of little importance, this was only because the outbreak of the Mexican War made its further progress unnecessary. Had this war not come when it did, there is every reason to believe that the Bear Flag Revolt would have brought to a successful conclusion the third method of securing California, that is, by the agency of an armed uprising among the American settlers in the province. In such case, Ide or Frémont might have stood out as the creator of a new republic, the Sam Houston of the Pacific Coast.

Authorities for the Bear Flag Revolt are numerous. One that has been drawn upon largely for this chapter is:

Ide, William Brown, *Who Conquered California?* Claremont, New Hampshire. 1880.

CHAPTER XVI

THE CONQUEST OF CALIFORNIA

APART from the Bear Flag Revolt there were two clearly defined stages in the conquest of California by the American forces. The first of these, extending from July 7 to August 15, 1846, though devoid of bloodshed, resulted in the temporary establishment of American control over every place of significance in the province. The second, beginning with a local revolt in Los Angeles on September 22, was a matter of much greater importance and for a time seriously threatened the continuance of American control.

As previously stated, the Polk administration was determined upon the acquisition of California in case of war with Mexico. At the same time the Washington government believed that the Californians, disaffected as they were with Mexico, might easily be persuaded to transfer their allegiance to the United States without the necessity of armed conquest. The opinion also prevailed that even were the Californians so inclined, they could not offer very serious resistance to the United States because of military weakness and inefficiency.

These views were the basis of the administration's policy regarding California. As early as June, 1845, George Bancroft, Secretary of the Navy, instructed Commodore John D. Sloat, then in command of the American naval forces in the Pacific, to seize the harbor of San Francisco (in the event of war with Mexico) and such other California ports as his strength would permit. As these harbors were "said to be open and defenseless," little difficulty was anticipated in carrying out the Secretary's instructions. Occupation of the sea coast ports, however, was but the first step in fulfilling the President's program. Sloat was then to use every

precaution to secure and preserve the goodwill of the Californians, so that the province might be acquired through friendly coöperation rather than by armed conquest.

In the spring of 1846 Sloat, with five vessels under his command, was on the west coast of Mexico, expecting any moment to learn of the outbreak of war. In April, upon the receipt of an urgent request from Larkin, sent off after Frémont's affair at Hawk's Peak, he ordered one of his vessels, the *Portsmouth*, under Captain John B. Montgomery, to sail to Monterey. Here, and later at San Francisco, Montgomery kept close watch upon the rapid development of the California situation, including the Bear Flag Revolt; but knowing nothing as yet of any declaration of war, he was able to play only the rôle of an observer in the proceedings.

On May 17th word reached the American fleet at anchor in the harbor of Mazatlan that hostilities had begun between Mexico and the United States. But as the report was not official, Sloat contented himself with despatching a single additional vessel, the *Cyane*, under command of Captain Mervine, to join the *Portsmouth* at Monterey, while he remained in the Mexican harbor with the remainder of the fleet. A few weeks later, receiving additional confirmation of the earlier report, he quietly slipped out of Mazatlan and sailed direct to Monterey.

In taking this course Sloat was not only guided by Bancroft's orders of the previous year, but also by evidence, apparently genuine, that the British government planned to check the American occupation of California. Admiral Seymour, whose interest in California has already been referred to, was then cruising in the vicinity of Sloat's command and had shown an unpleasant curiosity in the doings of the American fleet. It was credibly reported that he intended to forestall Sloat's occupation of any California port; and as later evidence showed, only the absence of official orders prevented him from making this attempt.

As it was, however, Sloat found no obstruction in his way at Monterey. His flagship, the *Savannah*, anchored in the

harbor on July 2; but instead of taking immediate possession of the fort, with a hesitancy and vacillation strangely out of keeping with the tradition of the American Navy, he delayed action until the morning of the 7th. The intervening time was occupied in conferences with Larkin, in the preparation of plans and proclamations for the conquest of the province, and in the exchange of official courtesies with the California authorities.

At last, however, stirred by news of Frémont's activities in the north, the fear of Admiral Seymour's arrival, and the urging of his own officers, Sloat decided to act. The occupation of Monterey then became almost a matter of routine. There had been no powder in the fort to salute the American vessels when they sailed into port; all the soldiers—a mere handful—had gone south with Castro; and a Mexican flag had not been seen in the town for three months.

Accordingly, when the formal demand for surrender was refused, because there was no one with authority to grant it, Sloat disembarked some two hundred and fifty men, who marched unmolested to the customshouse, where they raised the American flag, fired a salute, and formally proclaimed California annexed to the United States. Two days later, the flag was raised over San Francisco and Sonoma, and on the 11th at Sutter's Fort. In all these proceedings, and in the proclamations accompanying them, it is worth recording that the American officers sought, according to their instructions, to conciliate the Californians and to treat them with all possible consideration.

Two weeks after the occupation of Monterey, new vigor was instilled into the American activities by the resignation of Sloat and the transference of his command to a more aggressive leader, Commodore Robert F. Stockton, who had arrived on the 15th of July from Norfolk, Virginia, in the *Congress*. Just before leaving Norfolk, Stockton had held a conference with the Secretary of the Navy and was therefore far better acquainted with the plans of the administration than was Sloat. Nor by temperament was he given to halfway measures.

Having assumed command of both naval and land operations in California, Stockton at once enrolled the Bear Flag battalion (which Frémont had brought to Monterey), as volunteers in the United States Army. At the same time he commissioned Frémont a major and Gillespie a captain in the battalion. He then proceeded, after issuing what has generally been regarded as an unfortunate proclamation against the California leaders, to carry out the conquest of Southern California.

In keeping with this plan, Frémont and his command were sent to San Diego on the *Cyane*, and Stockton with some 360 men landed at San Pedro. The California army under General Castro, at this time consisted of only a hundred men, almost without arms and so disaffected that they could not be counted upon to obey their officers. Under such conditions both Castro and Governor Pico gave up all thought of resistance to the American advance, and after vainly seeking to negotiate a suspension of hostilities with Stockton, adjourned the California Assembly (then in a last forlorn session at Los Angeles), and fled into retirement. Castro went immediately to Sonora by way of the old Anza trail through the Colorado desert; while Pico, after remaining some time on his ranch near San Bernardino, took refuge at last in Lower California.[1]

[1] In February, 1846, Pico had sent José María Covarrubias to Mexico with an urgent request for aid. Covarrubias's instructions, which Bancroft says "are not extant" are here published for the first time, through the courtesy of Judge Grant Jackson of Los Angeles.

Instructions to be followed by the Señor Secretary of this Government Don José María Covarrubias, on his commission to the Most Excellent Señor Minister of Relations.

1st. He shall proceed to the Capital of the Republic and present the correspondence of this Government to the Supreme powers of the Nation.

2nd. Recognising the condition existing in this Department he shall give account in detail to the Most Excellent Señor Minister of Relations of all occurring, not neglecting to relate very particularly to the extent of his knowledge concerning the suppositions that this country will be the object of a foreign conquest and the great necessity of the Supreme Government assuring the National integrity on these frontier points with military troops, which at the same time are the support of its powers.

3d. In case the Supreme Government can not send said troops he shall implore its support to supply arms, munitions of war, and resources with which the Comandante named will be able to organize a permanent force of *hijos de pais* to the number of three hundred men.

Deprived of these two leaders, the Californians made no resistance, either to Stockton's advance upon Los Angeles from San Pedro, or to Frémont's expedition northward from San Diego. On August 13th, the united command of Frémont and Stockton entered Los Angeles, raised the American flag, and received the allegiance of the leading citizens. Four days later Stockton proclaimed the province a territory of the United States. The first phase of the conquest, except for a few minor episodes, was completed. It had been accomplished without loss of life and distinguished by no very exciting incidents.[2]

The second phase of the conquest was characterized by some pretty vigorous fighting and a considerable amount of bloodshed. Stockton and Frémont, apparently misled by the ease of their triumph, left Los Angeles early in September in command of Captain Gillespie and a force of fifty men. As events proved, this garrison was wholly inadequate to control the turbulent element in the pueblo and only invited insurrection by its presence. Gillespie himself was lacking in tact, while the population over which he ruled had always been distinguished for an unusual readiness to revolt.

The first outbreak occurred before daylight, September 23, when a motley company of Californians, "filled with

4th. He shall beg the Supreme Government for the appointment of a Constitutional Governor to succeed me; inasmuch as I desire, for the better administration of the Californias, that the Government despatch an officer who can with ability guide them into prosperity and aggrandizement, saving them from the critical circumstances in which they are placed.

5th. Considering the lack of lawyers in this Department and not having a sufficient number of Subjects qualified for the offices of first Minister and Attorney-general of the Superior Court the commissioner shall make efforts to have persons of aptitude and fitness come to fill said offices, each having assigned two thousand dollars annually; likewise asking for another officer of ability and integrity for the fulfilment of the Secretaryship of this Government, as he who now fills the office has repeatedly indicated the desire of resigning.

6th. He shall do all that he can to return as quickly as possible by the same boat, in order to give immediate information of the result of his mission through which this Government is informed of the will of the Supreme Government of the Nation and may issue from the sad alternative in which unfortunate circumstances place the country.

Angeles, February 13, 1846.

[Signature] Pío Pico.

[2] From this statement of course the Bear Flag movement is excluded. As has been shown it was not properly a part of the conquest by the United States government.

patriotism and perhaps with wine," attacked the adobe quarters in which Gillespie's men were sleeping. The party was led by Sérbulo Varela, a frequent disturber of the peace even when Los Angeles was under native rule, and his followers belonged to the semi-outlaw class of California society. The attack was easily repulsed; but when Gillespie the next day sought to arrest the offenders, he found a revolution of no mean proportions already under way. Before the end of twenty-four hours, he and his men were surrounded by a force of several hundred Californians and the revolt was in full swing.

As leaders of the movement, several of Castro's former officers, all of whom had given their parole not to take up arms against the United States, now came forward. Chief of these were José María Flores, José Antonio Carrillo, and Andrés Pico. The success of the movement which, all things considered, was quite surprising, was due, however, not so much to the ability of these leaders, as to the popular enthusiasm which supported it and to the swiftness with which the revolutionists carried out their operations—a swiftness made possible by the superior horsemanship for which the Californians had long been noted.

The first victory of the uprising occurred while Gillespie was shut up in Los Angeles. About a score of Americans under command of B. D. Wilson,[3] hearing that the country was up in arms, took refuge with Isaac Williams, one of the early Santa Fé traders who had settled on the Chino Rancho some twenty-five miles east of Los Angeles. On September 26th this party was surrounded by a force of seventy mounted Californians and compelled to surrender after a short skirmish in which one of the Californians was killed and several of the Americans wounded.

The success of this engagement greatly encouraged the Californians in their attack upon Gillespie. The latter, who had taken up his position on what was afterwards known as Fort Hill, back of the old Plaza church, was in a serious predicament. His supplies were cut off and a force, over-

[3] Afterwards the first mayor of Los Angeles.

whelmingly superior to his own, kept him continually invested. The nearest assistance to which he could look was at Monterey, approximately four hundred miles away; and the route over which a courier had to pass, even should he elude the besieging force, lay through a country where every native inhabitant must be counted upon as an enemy. These difficulties, however, did not prevent one of Gillespie's men, John Brown, or Juan Flaco (Lean John), as he was commonly known, from carrying the message for aid to Commodore Stockton, who was not at Monterey, as Gillespie supposed, but at San Francisco, a hundred miles beyond.

Leaving Los Angeles at eight o'clock on the evening of September 24th, with a short message from Gillespie written on cigarette papers and concealed in his hair, unarmed, and equipped only with spurs and reata, Brown successfully passed the enemy lines. He was pursued, however, by fifteen Californians but escaped from them by jumping his horse, already mortally wounded, across a thirteen foot ravine. Two miles more and the horse died. Lean John walked twenty-seven miles to the ranch of an American, where he secured another horse with which he reached Santa Barbara. From here, obtaining fresh horses as he could, he rode almost continuously until he arrived at Monterey on the evening of the 29th. Up to this time, according to the report of an eye witness of his arrival, Brown had had neither rest nor sleep since leaving Los Angeles. He slept three hours at Monterey, then pushed on to San Francisco which he reached either late on the 30th or early the next morning. The distance covered was over 500 miles. Brown's actual riding time was less than five days. It is a record not easily matched.

Upon receipt of Gillespie's message, Stockton at once ordered Captain Mervine to sail for San Pedro in the *Savannah* with 350 men. At Sausalito, however, the relief ship encountered such a heavy fog that progress was impossible for several days, and Mervine did not reach San Pedro until the 7th of October. As it proved, however, even



without this delay, Mervine's assistance would have been too late. On the 30th, even before Lean John's arrival at San Francisco, Gillespie had realized the hopelessness of his position and accepted the only chance of escape by surrendering to the California commander. Under the terms of the agreement the Americans were allowed to withdraw unmolested to San Pedro, without the loss of flags or weapons. Here they were under pledge to embark immediately upon a merchant vessel then in the harbor. But Gillespie, hoping for the arrival of one of Stockton's fleet, delayed this feature of the agreement for four days after his arrival at the harbor. At the end of that time, not knowing whether or not the message carried by Brown had reached Stockton, he spiked the cannon he had brought from Los Angeles on ox carts, threw one of them into the bay, and took his men on board the waiting *Vandalia*. Here Mervine found him when the *Savannah* reached San Pedro on the 7th.

At six o'clock on the morning following Mervine's arrival, some three hundred men, including Gillespie's command, disembarked from the vessels and prepared to march against Los Angeles. For the first four or five miles the mounted Californians, who were present in considerable number on the hills surrounding the landing place, made no serious attempt to retard the American advance, but confined their efforts to a few volleys at long range. Captain Mervine's force, however, found they had entered upon something very unlike a holiday.

"Our march," wrote Lieutenant Robert C. Duvall, one of the officers under Mervine, "was performed over a continuous plain overgrown with wild mustard, rising in places to six or eight feet in height. The ground was excessively dry, the clouds of dust were suffocating and there was not a breath of wind in motion. There was no water on our line of march for ten or twelve miles and we suffered greatly from thirst."

Residents of Southern California can appreciate how this October day, surcharged with electricity, intolerably hot,

and without the faintest breeze, except perhaps a few dry puffs from the Mojave Desert, sucked away the spirits and reduced the energy of the marching troops.

So great was the exhaustion that a halt was called at half past two in the afternoon and camp made for the night on the old Dominguez rancho, some fifteen miles from San Pedro. The Californians by this time had become more threatening, and were forming on a hill or plateau overlooking the American camp for a sudden onslaught. To prevent this maneuver, part of the Americans charged the enemy formation; but inasmuch as the Californians withdrew before their opponents came within effective rifle range, there was no damage done on either side.

No further excitement arose until about two o'clock the next morning. Then the Californians succeeded in bringing up a small cannon with which they sent a single shot into the American camp. A detachment sent out by Mervine to capture the gun found no trace of it or of those who had fired it. But the next day it re-appeared in a most effective and unpleasant fashion.

Camp was broken about six o'clock on the morning of the 9th and the march begun again toward Los Angeles. As the Americans got under way they found the Californians drawn up on either side of the road to dispute their advance. The force, numbering about 120 men under command of José Carrillo, were well mounted and armed with carbines and lances. The guns were of various grades of effectiveness; the lances were eight foot willow poles tipped with blades beaten out of files and rasps. In spite of their homemade appearance, these lances were ugly weapons in the hands of skillful horsemen.

The real strength of Carrillo's company, however, lay in the little cannon which the Americans had vainly sought to capture during the preceding night. This was a bronze four pounder, known as a *pedrero* or swivel gun. It had long done duty on the Los Angeles Plaza, before the coming of the American forces, in the firing of salutes and in the celebration of holidays. When news of Stockton's approach



reached the pueblo, at the time of his first occupation of the town, an old Mexican woman, with the pride of her people —or so the story goes—had resolved to save at least one thing from the hands of the Americans. She accordingly hid this gun in the *tules* near her house, only to dig it up again when Gillespie retreated to San Pedro. The piece was mounted on the front axle of an overland wagon in such a way that the range could be obtained by raising or lowering the tongue.

In the battle of Dominguez the gun was in charge of Ignacio Aguilar, who fired it by applying a lighted cigarette to the touch hole. Eight or ten horsemen dragged it with their reatas into position or out of harm's way as necessity arose. The methods used by the Californians in the handling of this "Old Woman's Gun," as it was appropriately named, and its effectiveness in the battle can best be shown by Duvall's own words, quoted by J. M. Guinn:

> "When within about four hundred yards the enemy opened fire on us with their artillery. We made frequent charges, driving them before us, and at one time causing them to leave some of their cannon balls and cartridges; but owing to the rapidity with which they could carry off the gun, using their lassos on every part, they were able to choose their own distance, entirely out of all range of our muskets. Their horsemen kept out of danger, apparently content to let the gun do the fighting."

Worn out with the futile efforts to capture the four pounder and convinced that further progress would result in useless loss of life, the Americans resolved to return to San Pedro and await a more favorable time for the capture of Los Angeles. This decision was strengthened by the report that the pueblo was defended by some five or six hundred additional troops, and the fear that even if the town were taken, the American force would find itself cut off from communication with the supporting vessels at San Pedro and be compelled to surrender.

On the retreat, Mervine's men were harassed by Carillo's troops as long as the ammunition of the Californians held

out. Getting the ever present "Old Woman's Gun" upon a hill ahead of the Americans, the Californians fired at the retiring column until their powder, which had been made at the San Gabriel Mission, was wholly exhausted and the usefulness of the little cannon came to an end.

When the Americans reached San Pedro they were so thoroughly exhausted with heat and fatigue that many of them could scarcely drag one foot after the other. In addition they had suffered in the battle, which was a clear victory for the Californians, a loss of at least four men killed or mortally wounded, and six others more or less seriously injured. The American dead were buried on a little island near the eastern entrance of San Pedro Bay. For many years previous to this the island had borne the name of Dead Man's Island, but the burying party from the *Savannah* christened it thus anew. At the present time the island is rapidly disappearing before the action of wind and tide, and even now there is little left of this first burial place of American soldiers killed on California soil.

The battle of Dominguez rancho was followed by an interval of quiet on either side. Flores was proclaimed provisional governor by a sort of rump assembly in Los Angeles, and the revolt spread to nearly every part of the province where the Americans were not in full control. San Diego and Santa Barbara both passed into the hands of their former owners; and in the north Manuel Castro, Joaquin De la Torre, and one or two others carried on an annoying guerrilla warfare which finally culminated in the severe skirmish known as the Battle of Natividad.

This engagement differed from most of the battles in the south, in that no regular United States troops took part in it. It was fought in the Salinas Valley, at one of the fords of the river, some fifteen miles from Monterey. A company of sixty or seventy Americans, with a band of 300 horses brought from the Sacramento, were on their way from San Juan Bautista to join Frémont at Monterey. Learning of this the Californians got together their scattered bands for a surprise attack, hoping if possible to capture the

horses and thus prevent, or at least delay, Frémont's march down the coast to aid Stockton against Los Angeles.

The leaders of the Californians, who were close to 150 in number, were Manuel Castro, José Chávez, Francisco Rico, and the two De la Torres. The Americans, most of whom were settlers or newly arrived immigrants, were commanded by two recently created captains, Charles Burroughs and B. K. Thompson. In the first skirmish a small scouting party from this force, which included a number of Indians, was surrounded by Castro's men and several of its members killed or wounded. When the main body of Americans came up, a brief but sharp engagement followed, in which the Californians, after inflicting rather serious injuries upon their opponents, retired from the field. The total American loss in this battle was about the same as that suffered by Mervine on his march from San Pedro—four or five killed and an equal number wounded. Castro's forces suffered somewhat more severely.

After the engagement, most of the Californians, taking with them Thomas O. Larkin, whom they had captured the night before, retired down the coast toward Los Angeles. The Americans in turn, withdrawing to a ranch near San Juan Bautista, united with Frémont's force of 300 men from Monterey, and a little later moved south to coöperate in the capture of Los Angeles.

In the meantime, the Californians had been called upon to face another American force, which was coming upon them from an unexpected quarter. The plans of the United States War Department for the conquest of Mexico called for four lines of invasion of the enemy's territory. The first, under General Taylor, aimed at the subjugation of Tamaulipas, Nuevo León and Coahuila; the second, in charge of General Wool, proposed to subdue the important state of Chihuahua; the third, commanded by General Scott, struck at the Mexican capital by way of Vera Cruz; and the fourth, with which this narrative is alone concerned, had as its objective the conquest of New Mexico and California.

This last force was under the command of Colonel (afterwards General) Stephen W. Kearny, an officer of considerable skill and force of character. Leaving Fort Leavenworth, Kansas, in the spring of 1846, this Army of the West, as Kearny's command was known, marched to Santa Fé and took possession of the province of New Mexico without serious difficulty. From Santa Fé, Kearny set out for the coast, where he expected to coöperate with the naval forces under Stockton and volunteers from the American settlers in taking complete possession of California and establishing there a new government under American control.

To aid Kearny in the enterprise, the War Department later sent a considerable body of reënforcements to the coast, selecting for this purpose a battalion recruited from the Mormon immigrants in Salt Lake, and a regiment of New York volunteers under Colonel Stephens. The Mormon battalion, as it was called, marched overland: the New York regiment went by sea around Cape Horn. Neither force, however, reached California in time to be of any actual assistance in the conquest.

With about 300 dragoons under his command, Kearny left Santa Fé on September 25th over the old Gila River trail, which the Patties had followed twenty years before. Near Socorro, however, he met Kit Carson, who was on his way to Washington with despatches from Stockton. Carson, having left California before the uprising in Los Angeles against Gillespie had broken out, of course knew nothing of the general revolt that had turned the province topsy-turvy since his departure. He therefore informed Kearny that American rule had been established on the coast with little opposition, and that the natives had accepted it in good part.

Acting upon this information, Kearny sent back nearly two thirds of his battalion; but having requisitioned the reluctant services of Carson as a guide, he continued his own way to California with the hundred men who remained. At the Colorado, through intercepted despatches, he learned something of the revolt in California; but the information

was too meager for him to determine how serious the situation really was.

In crossing the desert west of the Colorado, Kearny's force experienced the greatest privations. The animals were sometimes without water for forty-eight and sixty hours at a time, so that many of them died of thirst.[4] And it was not until the party reached the little stream known as Carisso Creek that the way again became endurable. By this time, however, both men and beasts were so exhausted that they were in no condition for a serious test of arms.

On December 2 Kearny's troops arrived at Warner's ranch, where an abundance of food was obtained. On the 5th they were joined by a party of thirty-five men whom Stockton, again in possession of San Diego, had sent under Gillespie and Lieutenant Beale to reënforce Kearny's detachment. There was now between the American position and San Diego a considerable body of well mounted Californians led by Andrés Pico. This force was camped near the Indian village of San Pasqual, and Kearny, with the approval of Gillespie, resolved to order an attack against it the following morning. Camp was broken, accordingly, before daybreak of December 6th. But the American troops were already exhausted by the long march from Santa Fé, and as the preceding night had been cold and rainy, their vitality was running at a low ebb. The Californians, moreover, had already been warned of the impending danger and were prepared to meet the advancing force. In the first attack, Captain Johnson, the leader of the charge, was instantly killed, and only the arrival of the main body under Kearny saved the advance guard from annihilation.

With the appearance of this larger number of the enemy, the Californians fled. But when Kearny's troopers, poorly mounted and somewhat disorganized, were strung out in a long line of pursuit, Pico's forces suddenly wheeled and almost swept the Americans from the field. This contest, the bloodiest in the entire conquest of California, lasted upwards

[4] Much of the weary route taken by Kearny's troops now lies through the rich alfalfa, melon, and cotton fields of Imperial Valley.



of half an hour before the Californians withdrew. Sixteen or eighteen Americans were killed, most of them with lances, and nearly a score seriously wounded.[5] Among the latter were General Kearny and Captain Gillespie.

The condition of the American force after the battle was serious.

"Our provisions were exhausted," wrote Major Emory, "our horses dead, our mules on their last legs, and our men, now reduced to one third of their number, were ragged, worn down by fatigue, and emaciated."

The same writer elsewhere spoke of his companions as "the most tattered and ill-fed detachment of men that ever the United States mustered under her colors." The Californians, though they had left the battlefield in possession of the Americans, were by no means beaten, and continued to threaten and harass the exhausted column as it strove to move forward to San Diego.[6]

Finally, though Lieutenant Godey, Frémont's famous scout, had already been sent to Stockton with a request for aid, Lieutenant Beale, Kit Carson, and an Indian were dispatched under cover of darkness to hurry forward the reënforcements which by this time were imperatively needed. After the severest hardships, the three scouts succeeded in reaching San Diego; and on the 10th a detachment of 180 men from Stockton's command made its welcome appearance in Kearny's camp. On the 12th the combined force marched without incident into San Diego.

The arrival of General Kearny at San Diego was unfortunately followed by a dispute over a question of rank between himself and Commodore Stockton. The difference was at last temporarily adjusted through a compromise which left Stockton nominally in command, but put Kearny in actual charge of military operations. It was then decided that the combined forces at San Diego should move north-

[5] No two authorities agree as to the exact number.

[6] For the most authoritative account of this engagement see Coy, Owen C., *The battle of San Pasqual.* Sacramento, 1921. Dr. Coy is Director of the California Historical Survey Commission.



ward to coöperate with Frémont's advance from Monterey against Los Angeles.

On December 29th, in keeping with this plan, some 600 men marched out of San Diego, accompanied by artillery and a baggage-train, and took the road through San Luis Rey and Capistrano for Los Angeles. Their equipment was not of the best and the going proved difficult. Of this stage of the expedition Stockton wrote:

"Our men were badly clothed, and their shoes generally made by themselves out of canvas. It was very cold and the roads heavy. Our animals were all poor and weak, some of them giving out daily, which gave much hard work to the men in dragging the heavy carts, loaded with ammunition and provisions, through deep sands and up steep ascents, and the prospect before us was far from being that which we might have desired; but nothing could break down the fine spirits of those under my command, or cool their readiness and ardor to perform their duty; and they went through the whole march of one hundred and forty-five miles with alacrity and cheerfulness."

Fortunately for the Americans, no opposition from the enemy was encountered until the expedition came to the willow-lined banks of the San Gabriel River. In its course through the mountains, this stream flows through deep cañons and over a hard, rocky bed. But in the lowlands, where the Americans were compelled to find a ford, the river broadens out and in many places there is sufficient quicksand to make the crossing extremely difficult. The bank opposite the ford selected by the Americans was also commanded by a high bluff, which afforded the enemy a most convenient station for his artillery. This consisted chiefly of two nine pounders, which were well supported by squadrons of horsemen on either flank. The entire force of the Californians amounted to 500 or 600 men. General Flores was in command, with Andrés Pico and José Carrillo serving under him.

With surprising ease, considering the strong position of the enemy, the Americans succeeded in dragging their

artillery across the river and dislodged Flores from his position on the bluff. The following brief description by Major Emory, one of the participants, gives a vivid picture of the skirmish:

"Half-way between the hill and the river, the enemy made a furious charge on our left flank. At the same moment our right was threatened. The 1st and 2nd battalions were thrown into squares, and after firing one or two shots, drove off the enemy. The right wing was ordered to form a square, but seeing the enemy hesitate the order was countermanded; the 1st battalion, which formed the right, was directed to rush the hill, supposing that would be the contested point, but great was our surprise to find it abandoned. The enemy pitched his camp on the hills in view, but when morning came he was gone."

Thus in an hour and a half after the first shot was fired the American force, baggage train and all, was across the river and the Californians were retiring toward Los Angeles.

The next day, January 9, came the last battle on California soil. As the Americans proceeded from the San Gabriel River toward Los Angeles, the California horsemen again presented some slight opposition, and shortly before four o'clock in the afternoon Flores made his last stand near the banks of the Los Angeles River. As usual, the Californians confined their activities to artillery fire at long range, supplemented by cavalry charges upon the flank and rear. These attacks resulted in but little damage, however, except to those who made them. As a matter of fact the Californians, realizing the hopelessness of their resistance, seem to have put but little heart in this last skirmish and withdrew before the battle was well begun.

That night Stockton and Kearny camped on the outskirts of Los Angeles and the next day marched to the Plaza, having already received the surrender of the city from a deputation sent out by the inhabitants. Except for insulting remarks from drunken citizens and a hostile demonstration, which cost the lives of two of the Californians, the occupation of Los Angeles was accomplished without incident.



Gillespie raised once more the flag which four months previously he had been compelled to lower, and the control of the city passed forever out of Mexican hands.

The capture of Los Angeles, however, did not result in the complete disbanding of the California troops. Though many of them returned to their homes and others continued to wander about the country in groups of two or three, the larger part of Flores' command retired to the San Pasqual and Verdugo ranches to await developments. These came quickly with the arrival of Frémont and his battalion at the San Fernando Mission.

Frémont's march down the coast, after the battle of Natividad, had met with little opposition from the enemy. The route, however, was difficult, owing chiefly to rain and mud, and progress was consequently slow. Near San Luis Obispo, Jesús Pico, one of the leaders of the revolt, was captured and sentenced to be shot for breaking his parole. His life, however, was spared by Frémont at the intercession of the prisoner's wife and family. As there were fourteen children to plead for Don Jesûs, Frémont's clemency can easily be understood. After his release, Pico became a devoted friend to his benefactor and served the American cause to good purpose in the final surrender of the Californians.

With Kearny and Stockton in control of Los Angeles and Frémont occupying the San Fernando Valley, further resistance on the part of the Californians was unthinkable. Flores, accordingly, surrendered his command to Andrés Pico and left for Sonora. Jesús Pico was sent by Frémont to persuade the Californians to lay down their arms and make peace with the Americans. This they were already eager to do, provided favorable terms could be arranged. After some preliminary negotiations, articles of capitulation were accordingly drawn up and signed at the old Cahuenga ranch house, to which Frémont had moved his headquarters. Though the resistance of the Californians to the American forces had proved futile, it nevertheless had about it a certain dash of gallantry and enough of the old traditional bravery of Spain to excite one's admiration.

The terms of this "Cahuenga Capitulation," as it is sometimes called, were dictated by liberality and common sense. There was to be no revenge for broken paroles, no condemnation of property, no discrimination between Californians and Americans, no restriction against the departure of any one from the province, no oath of allegiance, even, until peace had been signed between the United States and Mexico. All that was required of the Californians was the surrender of their artillery and public arms (consisting of two cannon and perhaps half a dozen muskets); a pledge to obey the laws of the United States; and a promise to refrain from joining the war again on behalf of Mexico. It was a treaty drawn in the spirit of Polk's desire for conciliation, and contained little to show that it was the result of military conquest.

When Frémont and Andrés Pico put their signatures to this document on January 13, 1847, the Mexican War, so far as California was concerned, was definitely over. Mexican institutions henceforth were to give place to those of Anglo-Saxon origin. Mexican laws, Mexican customs, Mexican inefficiency were to be supplanted by American laws, American manners, and American energy. Cities were to spring up where sleepy pueblos had previously stood. The untouched resources of the generous earth—its mines, its forests, its leagues of uncultivated soil—were to be made to serve the needs of all mankind. A new day was about to dawn on the Pacific slope.

Various articles in the Publications of the Southern California Historical Society, in addition to such standard authorities as Bancroft and Eldredge, have been drawn upon for the material of this chapter. Many of these articles were written by the dean of Southern California historians, J. M. Guinn.

CHAPTER XVII

THE GOLD RUSH

THE Treaty of Guadalupe Hidalgo, by which California formally became a part of the United States, was signed February 2, 1848. Two weeks before, in one of the innumerable cañons of the Sierra Nevadas, a man named James W. Marshall chanced upon some glittering particles in the tail race of a saw mill belonging to his employer, John A. Sutter. Before the ink was scarcely dry on the treaty, the news of Marshall's discovery had begun to set an eager world in ferment and to change the whole course of California history.[1]

Gold had been found in California long before Marshall gathered it out of the tail race of the mill on the South Fork of the American River. Seven years before, in the Santa Feliciana Cañon of the San Fernando hills back of Los Angeles, Francisco López, a native Californian, came upon traces of the metal as he was digging up wild onions in the shade of an oak tree under which he had stopped to rest. This discovery led to much excitement in the southern part of the province, and even brought a considerable number of prospectors from Sonora, Mexico, to the newly opened field. In spite of lack of water, these San Fernando deposits were

[1] Marshall's discovery occurred January 24. The following extract from the diary of Azariah Smith, one of the laborers at Sutter's mill, gives this interesting contemporary account of the event.

"Sunday, January 30. Mr. Marshall having arrived, we got liberty of him and built a small house down by the Mill, and last Sunday we moved into it in order to get rid of the Brawling, Partial Mistress, and cook for ourselves. This week Mr. Marshall found some pieces of (as we all suppose) Gold, and he has gone to the Fort for the purpose of finding out. It is found in the raceway in small pieces. Some have been found that would weigh five dollars."

worked successfully for a number of years, yielding some four or five thousand dollars annually in gold dust and small nuggets. Mines of other metals, notably the exceptionally rich quicksilver deposits of New Almaden, where the mercury was first obtained by heating the ore in gun barrels, were also in operation before 1848.

But until Marshall's accidental discovery, the *great* treasure of the California mountains remained unsuspected by foreign visitor and native resident alike. Considering all the circumstances, this is one of the strangest facts in California history. The Spaniards who conquered Mexico were among the most indefatigable miners the world has ever seen. For more than two centuries after the landing of Cortés, the history of New Spain was largely the history of men "interested in the saving of precious souls, or of men interested in the discovery of precious metals." From Mexico City northward to Nuevo León and Chihuahua, westward to the Pacific, northwestward to Sonora, New Mexico and Arizona, the *conquistadores* and their descendants prospected for gold and silver, joined in the hectic excitement of one mining rush after another, and exploited a thousand rich deposits discovered by their industry and never failing zeal.

Why these same people, so successful and zealous as miners in Mexico, failed to find the vast treasures of the Sierra Nevada, which Nature made almost no attempt to conceal, will always remain a curious problem. The effect of the discovery of gold upon California's destiny, if this had happened under Spanish or Mexican rule, has already been pointed out by one of the most authoritative of the state's historians. Assuredly it was the whim of fate—or the hand of a guiding Providence—that delayed this discovery until the territory had come into the possession of the United States.[2]

When Marshall and Sutter became convinced that the bits of yellow metal which remained in the tail race were

[2] For the origin of this idea, see Chapman, Charles E., *The founding of Spanish California*, viii.

actually gold, they agreed together to keep the matter secret, not so much, apparently, because they wished to pre-ëmpt the deposit, as because they feared the mining craze might carry off the needed laborers from Sutter's wheat fields, mills, and numerous other undertakings. To cover up such a discovery for any length of time was difficult; yet for nearly six weeks, few people outside of those at the mill knew of the event. Inevitably, however, the secret at last became public. Teamsters, coming in from the outside, heard of the find and carried the news back to the coast. Mormon immigrants, many of whom worked for Sutter, spread the report among their co-religionists; and Sutter's own agent, sent to Monterey to obtain a grant or patent to the mining rights, told nearly everything he knew about the discovery.

At Monterey, on May 29th, Walter Colton, the American alcalde, made this entry in his diary:

"Our town was startled out of its quiet dreams to-day, by the announcement that gold had been discovered on the American Fork. The men wondered and talked, and the women, too; but neither believed. The sibyls were less skeptical; they said the moon had, for several nights, appeared not more than a cable's length from the earth; that a white ram had been seen playing with an infant; and that an owl had rung the church bells."

On June 20th, after several other reports had been received and the alcalde himself had despatched a special investigator to the gold region, this entry was made in the same diary, showing how great an effect the excitement was already having upon the normal life of Monterey:

"My messenger has returned with specimens of gold; he dismounted in a sea of upturned faces. As he drew forth the yellow lumps from his pockets, and passed them around among the eager crowd, the doubts, which had lingered till now, fled. . . . The excitement produced was intense; and many were soon busy in their hasty preparations for a departure to the mines. The family who had kept house for me caught the moving infection. Husband and wife were both packing up; the blacksmith dropped his hammer,

the carpenter his plane, the mason his trowel, the farmer his sickle, the baker his loaf, and the tapster his bottle. All were off for the mines, some on horses, some on carts, and some on crutches, and one went in a litter. An American woman, who had recently established a boarding-house here, pulled up stakes, and went off before her lodgers had even time to pay their bills. Debtors ran, of course. I have only a community of women left, and a gang of prisoners with here and there a soldier, who will give his captain the slip at the first chance."

On June 28, Thomas O. Larkin, still serving in his consular capacity, wrote Buchanan:—

"Three-fourths of the houses in the town on the Bay of San Francisco are deserted. Houses are sold at the price of building lots. The effects are this week showing themselves in Monterey. Almost every house I had hired out is given up. Every blacksmith, carpenter and lawyer is leaving; brick-yards, saw-mills, and ranches are left perfectly alone. A large number of the volunteers at San Francisco and Sonoma have deserted; . . . public and private vessels are losing their crews . . . Both of our newspapers are discontinued from want of workmen and the loss of their agencies; the Alcaldes have left San Francisco, and I believe Sonoma likewise; the former place has not a justice of the peace left."

Governor Mason, who made a tour of the mines about the time Larkin's letter was written, along the whole route found mills lying idle, houses deserted, fields of standing wheat turned open to cattle, and farms left uncultivated. Ships were deserted as fast as they arrived on the coast; soldiers left their garrisons, and men closed their shops. Until, without serious exaggeration, one writer could say,

"The whole country is now moving on to the mines. Monterey, San Francisco, Sonoma, San José and Santa Cruz, are emptied of their male population. . . . Every bowl, tray, warming pan, and pigin has gone to the mines. Everything in short that has a scoop in it that will hold sand and water. All the iron has been worked up into crow-bars, pick axes and spades."

This wholesale stampede from the coast to the mining regions is not to be wondered at. In those first exciting days, especially before the great influx of 1849, gold awaited every comer. Stream beds, hillsides, and rock crevices, all alike yielded treasure.

Two men in seven days obtained $17,000 from a trench a few feet wide and a hundred feet long. A soldier on twenty days' furlough, who spent half his time going to and from the mines, made $1500 in ten days of actual mining. Seven Americans, with the aid of fifty Indians, whom they paid presumably in cheap merchandise, took out 275 pounds of gold in a little more than six weeks. Ten men made $1500 each in ten days. A single miner obtained two pounds and a half of gold in fifteen minutes. A group of Mexicans were seen gambling, with a hundred pounds of gold dust and nuggets serving as the "bank." In less than half an hour a man picked between five and six ounces of gold "out of an open hole in the rock, as fast as one can pick the kernels out of a lot of well cracked shell barks." A rancher named Sinclair, employing Indians as helpers, cleaned up fourteen pounds (avoirdupois *not* troy) in a week's time. On a tour of the mines the editor of the *Californian*, which had recently been established at Monterey, averaged $100 a day, using only a shovel, pick, and pan.

The striking thing about the mining industry as it was carried on for the first few months, however, was not the lucky finds of a few; but the assured profit for practically every one who engaged in it. The average return was from $10 to $50 a day, and by August it was reliably estimated that $600,000 had been secured from the various "diggings."

Authoritative news of the phenomenal discovery reached "the States" in time for President Polk to comment upon it in his December message to Congress. But sometime before this official announcement, the eastern newspapers were full of rumors and reports about the California gold fields, which the public generally accepted with tolerant incredulity. When at last, however, people ceased to doubt

and began to believe, such excitement followed as the nation had never known before, or will ever know of its kind again.

By the close of 1848 every city, large or small, from the frontiers of Missouri to the Atlantic seaboard, was affected by the California fever. Men were selling out their business, families were breaking up their homes, officials were resigning their positions, and professional men were getting rid of their practice. Literally scores of companies and associations were being formed by persons planning to make the trip to California. Many of these were organized on a coöperative basis, each member contributing a certain share to the common expense and enjoying equal rights with his fellow members. Other companies were financed by persons themselves unable to make the journey, but who wished to share in the fabulous wealth that every letter and returned traveller reported from the California fields.

Thus, there was the Sag Harbor California Mining Association, the Boston and California Mining and Trading Joint Stock Company (with Edward Everett as its patron), the New York Yellow Fever Mining Company, the Manhattan-California Overland Association, the Congress and California Mutual Protective Association, and no one knows how many other companies of the same kind. Yet few, if any, of these innumerable associations were able to stand the strain of the passage to California, or of the new environment their members found in the mining camps. Too often, friendships or mutual agreements, formed in an atmosphere where social and business relations followed a well defined code, were wrenched apart and hopelessly broken by the new conditions of life in California.

Naturally enough, the newspapers seized upon the gold excitement with the greatest avidity. Letters, reports, and rumors from California were eagerly sought after and given first place in the news columns. Fortunately, no matter how great the exaggeration in these articles, the actual production of the fields in nearly every case surpassed the imagination of the writer, and fiction again "lagged

after truth." The reports from California that appeared in the newspapers were also supplemented by many by-products of the craze.[8] There were advertisements of businesses for sale, because the owners were leaving to search for gold; there were descriptions of the various overland routes to California, and lists of stout and trustworthy vessels about to sail for San Francisco. Notices of gold dust receipts at Atlantic ports stood side by side with accounts of villains who had abandoned wives and families for the mines.

A single issue of the New York *Herald* contained over forty advertisements designed to interest buyers about to leave for California. Among the articles advertised were an Acid and Test Stone Appliance for detecting Gold; Hunt's Patent Gold Extracting Engine; Bruce's Hydro-Centrifugal Chrysolyte, or California Gold Finder; and other essentials of a similar character. Lamps, guaranteed against upsetting, were advertised on the same page with "Books for Pleasant Reading on Ship Board." Mining treatises, Spanish Grammars, and guide books for the route were almost as numerous as Buena Vista rifles, pistol belts, and holsters. "Who is for California? "—a company in the process of organization challenged; and in the next column a physician offered his services to a party bound for the Pacific Coast. The New York Washing and Mining Association advertised for recruits, and another enterprising company sought a housekeeper for its California hotel. Preserved meats, soups, spiced oysters, and sauerkraut put up in canisters and warranted for twenty-one years, saddles, guns, tents, assaying outfits, blankets, India rubber goods, Dana's System of Mineralogy, and California overcoats were all brought to the attention of the prospective miner. He was implored to buy a copy of the Chrom-Thermal System of Medicine,

[8] About this time Mrs. Elisabeth Farnham, widow of the well known author-traveller, Thomas Jefferson Farnham, who had died in San Francisco in 1848, was seeking to organize a party of 130 women in New York to go to the coast, in company with six or eight respectable married men and their families, to become the wives of bachelor miners. None of the party were to be under twenty-five years of age, and each was to furnish $250 as expense money for the trip.

since fully half the miners of California were down with fever; and to have his daguerreotype taken as a farewell remembrance for the dear ones who remained behind. About the only items omitted from the list were coffins and nursing bottles.

There is no way of determining, with even a fair degree of accuracy, how many persons came to California from the rest of the United States in the years immediately following the discovery of gold. The migration, however, was so stupendous as to out-rank in point of numbers anything of its kind in the nation's history, and to stand on an equal footing with some of the great world movements of population. The whole country, it seemed, was singing the doggerel verse of one of the Argonauts, and thousands upon thousands were actually putting it into practice:

> "Oh! California, that's the land for me!
> I'm bound for the Sacramento
> With the washbowl on my knee."

Throughout the winter, the overland routes were closed to travel; so the earliest influx came by sea. During the first week of February, 1849, fifty vessels sailed from American ports for San Francisco. By the middle of March 17,000 persons had taken passage from cities on the Gulf and Atlantic coasts; and before the year closed, 230 American vessels reached California harbors.

The overland migration, when it began, was even larger than that which came by sea. Within three weeks, during the spring of 1849, nearly 18,000 persons crossed the Missouri River for California. A single observer counted eleven hundred wagons on the prairies beyond Independence. From the Missouri frontier to Fort Laramie the procession of emigrants passed in an unbroken stream for more than two months toward the west. By day this long train of wagons and other vehicles (for they were of all types and descriptions), the herds of animals, and the crowds of men, women and children, gave the impression of a whole nation on the move. At night the glow of innumerable camp fires

on the prairies shone like the lights of populous cities. Fully 35,000 people took part in this great overland movement of 1849, a year that rightly occupies a unique place in California and national annals.

The chief sea routes to California were by way of Cape Horn and the Isthmus of Panama. The former, made as it was at first chiefly by sailing vessels (for steam navigation was still in its infancy), required from six to nine months—a much longer time than impatient gold seekers could afford to give—and was characterized by no little danger and hardship. Just before the gold rush began, however, William H. Aspinwall had organized the Pacific Mail Steamship Company and started the construction of three small steamers, of about a thousand tons each, to run from New York to San Francisco.

The first of these, the *California*, left New York on October 6, 1848, shortly before Marshall's discovery became known. When the vessel reached Panama, on January 30th, 1849, hundreds of gold seekers, who had come by sea to the Isthmus and crossed overland to the Pacific, were waiting almost in a frenzy for passage to San Francisco. Some 400 of these were taken on board, to find accommodations as best they could in a vessel designed for only a hundred passengers. Many of these paid as high as $1000 for a steerage ticket from Panama to California. The *California* reached San Francisco on February 28th—the first of a long line of transports laden to the water's edge with new world Argonauts.

Those who reached California by the Panama route had much to try physical endurance and test their patience. The voyage from New York to Chagres, on the Caribbean side of the Isthmus, required about two weeks' time and cost from $80 to $150. If passage could be obtained in a satisfactory ship, this portion of the trip might well prove delightful; but as the number of sea worthy vessels was wholly inadequate to supply the demand, every sort of sailing craft was pressed into service; and even if the vessel escaped foundering in mid-ocean, the passengers were sure to



suffer every form of discomfort and annoyance to which travellers are heir.

From Chagres, the first stage of the journey across the Isthmus was made by native canoe to the head of the Chagres River, and thence by packtrain to the Pacific. The canoes were twenty or twenty-five feet long, carried ten or twelve passengers, besides the five or six Indians who poled them, and made about a mile an hour—when the natives bestirred themselves. Tropical storms, heat, bad drinking water, and voracious insects added to the pleasure of the voyage. But while these things, coupled even with delay and the squalor of the native huts where the emigrants were often forced to lodge, could be endured, there were two grim enemies that brought death instead of mere discomfort. These were Asiatic cholera and the Chagres fever.

When the coast was reached, another long wait was in store for the Californians. Frequently weeks passed before a passage could be secured to San Francisco. The old city of Panama, witness of so much of tragedy and heroic undertaking from the time of Balboa onward, surely never saw stranger sights than in those bustling days of '49, when the Americans poured down from the crest of the mountains on foot or on mule back, to await the arrival of some long expected vessel to carry them on to the land of El Dorado.

For two years the new comers virtually took possession of the city. Some of the more enterprising set up hotels and opened shops to cater to the needs of their companions.[4] Others of different taste even started a newspaper, which outlasted the mushroom community that gave it birth. Many of the more impatient emigrants chartered small sail boats and bravely set out for California without waiting for the larger vessels. And it is even said that some companies, more adventurous or ignorant than the rest, actually sought to make the five thousand mile journey from Panama to San Francisco in log canoes! With the adventures,

[4] One of the most successful of these emigrant merchants was Collis P. Huntington, of later railroad fame.

hardships and tragedies of these irregular expeditions there is no space to deal—But what fine gold still remains in the tailings of California history!

Besides the way around South America and across Panama or Nicaragua, there were half a dozen combination routes to California, involving both an overland journey and an ocean voyage. Many of the emigrants sailed from New York or New Orleans to Vera Cruz, travelling thence by way of Mexico City and Guadalajara to take ship on the Pacific at Acapulco or San Blas. Others landed at Tampico and made the trip across Mexico by way of a more northern route to the harbors of Mazatlan and Guaymas on the Gulf. Still others crossed the Isthmus of Tehuantepec, hoping to find a vessel at Salina Cruz to carry them on to California.

At least one thing was common to all of these various routes. Whichever he chose, the gold seeker was sure to encounter hardships in numerous and terrifying forms. Sometimes disease carried off his companions one after another around him; and sometimes an accidental gun shot or willful murder threw the shadow of death over a little camp. Again brigands might strip the company of all its ready money and supplies. Or, failing these misfortunes, there were always cold, flood, thirst, desert heat and scarcity of food to be reckoned with on the overland portion of the expedition. And on the sea, danger from storm, failure of the ship's stores, shortage of water, and sudden attack of the black plague, cholera. A few companies were entirely blotted out by some unknown catastrophe and never heard from again; others escaped similar disaster by grim perseverance, or merely the whim of a kindlier fate.

In addition to the various sea, or sea-and-land routes to California, there were also several principal overland trails, supplemented by many "cut-offs," or diversions from the main routes. The most travelled of these overland routes was the old historic path of the fur trader and the early emigrant—along the Platte, up the Sweetwater, through the South Pass, to Bear River and Fort Hall. Thence most of the caravans turned south to the Mormon settle-

ment at Salt Lake, entering California by way of the Humboldt and Truckee Rivers. Others took the trail to Oregon, reaching the Sacramento by the Willamette and Shasta route. Still others, after reaching the Sierras, followed along the eastern slope, through the Owen's Valley, till Walker Pass, or perhaps the Tehachapi, furnished a gateway to the San Joaquin. From Salt Lake others took the recently opened Mormon trail to San Bernardino, a route the Los Angeles-Salt Lake branch of the Union Pacific Railroad now closely parallels.

Another main highway of the gold seekers reached California by way of Santa Fé. From Missouri to New Mexico this route had long been known through the agency of the St. Louis-Santa Fé trade. From Santa Fé westward there was a choice of two routes. One, the old Pattie trail, ran through Socorro and along the Gila to the Colorado, thence crossing to the coast by way of Warner's ranch. The second, following Wolfskill's path of the early thirties and the route of the old Santa Fé-Los Angeles caravans, reached the Colorado by way of the Grand, Green, Sevier, and Virgin Rivers. From the Colorado the trail continued on to Southern California by way of the Cajon; or east of the Cajon, turned northward to the San Joaquin by either the Tehachapi or Tejon Pass. Still another route from Santa Fé ran directly south to Chihuahua in Old Mexico. Thence one of the long used Spanish trails carried the emigrant across the mountains into Sonora, and eventually brought him by way of Altar and Tubac to the regular Gila River trail over which he travelled to the Colorado.

The magnitude of the migrations over these various overland routes cannot adequately be described. Men, women, and children took part in it; for the movement, at least from the frontier states, was not merely the rush of men excited by tales of wealth to a land where they expected to make but a temporary residence. It was the transplanting of a population, the migration of families to a new and permanent home. Much of the so-called "Great Migration" was indeed merely a new phase of that overland

movement that had begun in 1841 with the arrival of the Bidwell party, and had already assumed very considerable proportions a number of years before the discovery of gold.

Many parties, of course, even from western communities, were made up entirely of men; but in the typical overland company, the unit was the family rather than the individual. Nearly every wagon carried furniture and household goods for the new home on the Pacific. For the westerner, who started, let us say from Independence, in the spring of 1849 for the gold fields of California, looked upon the undertaking as nothing unusual, except perhaps for the distance involved. His whole previous life had been spent in just such migrations on a smaller scale. Kentucky, Indiana, Illinois, and finally Missouri, each in turn had witnessed the erection of his crude log cabin, evidence of the sure approach of civilization, and had claimed him for a temporary citizen By 1849 this nomadic settler was ready for the final move to California.

The ordinary means of travel employed by the emigrants was the familiar "prairie schooner," probably first made use of in the Santa Fé trade. These were usually drawn by three or four yoke of oxen, though sometimes horses or mules were used instead. Generally a number of cows were also driven along to furnish a reserve supply of food, or to serve as substitutes for broken down or lost oxen. While this was the typical equipment, many of the emigrants had vehicles of other types, or employed pack animals alone. Some indeed were foolish enough to attempt the journey with wheelbarrows and push carts!

Besides supplies of food—coffee, sugar, bacon, dried apples, and the like—every well-to-do company took with it a large amount of bedding, many cooking utensils, guns, axes, and even heavy household furniture, such as bedsteads, tables and bureaus, or equally heavy farming implements and mining tools. The organization of most companies was similar to that adopted by the earlier emigrants of the Bidwell-Donner type, and their methods of travel in no material way differed from that of their predecessors. The

large number of animals passing over the well established routes, furnished a more serious problem in the matter of forage, however, than the pre-Forty Niners had been forced to meet; and this often compelled companies to seek less frequented trails where grass was more abundant.

Indian difficulties were few during the first years of the gold rush, but every other trouble was met with in abundance. Cholera ravaged many of the trains, in some cases wiping out entire families. Other diseases, such as scurvy, likewise took heavy toll; and death by accident was also of frequent occurrence. Often a company's animals gave out or ran off. And in crossing rivers, wagons, animals, and men alike were sometimes swept away by flood or sucked down by quicksand. Crime, even of the basest sort, was not unknown; but more commonly where violence was done, it was due to some outburst of sudden anger or resulted from nerves frayed beyond the breaking point by long continued anxiety and strain.

On the northern route, the most difficult part of the journey lay beyond Fort Hall. Between Salt Lake and the Sierras the line of travel was marked, more plainly than ever a modern boulevard was posted by enterprising automobile clubs, with broken down wagons, abandoned equipment, dead animals, and bleaching bones. A single entry in the diary of James Abbey, himself one of the Forty Niners, shows better than all the second hand descriptions that have ever been written, what toll was paid on this portion of the route west of the Humboldt Sink:

"August 2nd—Started out by four o'clock this morning; at six stopped to cook our breakfast and lighten our wagons by throwing away the heavier portions of our clothing and such other articles as we best can spare. We pushed on today with as much speed as possible, to get through the desert, but our cattle gave such evident signs of exhaustion that we were compelled to stop. . . . The desert through which we are passing is strewn with dead cattle, mules, and horses. I counted in a distance of fifteen miles 350 dead horses, 280 oxen, and 120 mules; and hundreds of others are left behind unable to keep up. . . . A tan-yard or

slaughter house is a flower garden in comparison. A train from Missouri have, today, shot twenty oxen. Vast amounts of valuable property have been abandoned and thrown away in this desert—leather trunks, clothing, wagons, etc. to the value of at least a hundred thousand dollars, in about twenty miles. I have counted in the last ten miles 362 wagons, which in the states cost about $120 each."

With Abbey's description as a background, one's imagination can picture something of the distress and suffering endured by the immigrants who came the northern route.

Yet those who took the Gila trail were equally unfortunate. John W. Audubon, son of the famous ornithologist and a naturalist of no mean ability himself, found the road east of the Colorado, "garnished almost every league with dead cattle, horses, or oxen." Every camping place, was littered with wagons, implements, and personal effects thrown away by the passing trains. The worst stretch of this route, however, lay through the Colorado desert west of the Yuma villages. Here, at the so-called lagoons, Audubon, who had travelled by the route across northern Mexico, came upon a "scene of desolation" more fearful than anything he had previously seen in all his arduous journey. He describes it thus:

"Broken wagons, dead, shrivelled-up cattle, horses and mules as well, lay baking in the sun, around the dried up wells that had been opened, in the hopes of getting water. Not a blade of grass or green thing of any kind relieved the monotony of the parched, ash-colored earth, and the most melancholy scene presented itself that I had seen since I left the Rio Grande.

Travel, even over the well established routes to California, was thus beset with hardship during the period of the gold rush. But where parties turned off to seek new trails, fate dealt with them even more relentlessly. The most tragic of such cases occurred in that grim region lying east of Owen's River, which ever since has borne the name of Death Valley. Two companies, at least, were caught in this waste

of sand and desolation during the migration of 1849, and the valley dealt with them in pitiless fashion.

The story of the first of these parties has been left us by William Lewis Manly, one of its members. His company, having reached Green River by way of the South Pass, attempted the impossible feat of going down the Colorado in an old ferry boat. They succeeded in getting somewhat beyond the spot where Ashley had painted his name on the cañon walls in 1824, but at last were compelled to abandon the river and strike out on foot toward the west. Without serious difficulty they reached the regular Salt Lake-Los Angeles trail, where they found a large number of wagons bound for California. Manly and his associates joined this company of emigrants. But instead of following the regular route to the Mojave villages, a part of the train, led by Captain Smith, turned off near Mountain Meadows, intending to travel directly west to the San Joaquin. Manly and a friend of his named Bennett, who was in command of several wagons, together with one of the Green River adventurers known as Rogers, followed Smith's party.

Before the desert was reached several of the company turned back to the regular Los Angeles trail. The rest split into two divisions. One of these, calling themselves the Jayhawkers and composed almost entirely of unmarried men, set off ahead, leaving the men with women and children to get on as best they could. Before this main company had proceeded very far, the outlook became alarming; and when they at last entered the sandy wastes of Death Valley, it was seen that help must be secured or the entire party would perish.

Manly and Rogers volunteered to go for aid, and with such provisions as could be spared set out for the California settlements. Of the privations experienced by Manly and Rogers on this trip, or of the sufferings endured by the thirteen grown persons and seven children who remained behind, the writer is not competent to speak. It is enough to say that the two messengers, after conquering starvation, sand, fatigue and thirst, at last reached the little town of San



Fernando, a few miles north of Los Angeles, where they obtained supplies and a few pack animals, and then set out again for the valley of death to rescue their companions.

When the two came again within sight of the camp, which they had left twenty-six days before, some of the wagons were missing, and there was no sign of life about. A few miles back they had already passed one member of the company, dead on the sand, "with his arms extended wide, and his little canteen, made of two powder flasks, lying by his side." It was doubtful whether any of the company, which they had risked so much to rescue, had survived. Manly fired off his gun. A man came out from under a wagon, looked all around without seeing any one.

> "Then," to use Manly's words, "he threw up his arms high over his head and shouted—'The boys have come, the boys have come!' . . . The great suspense was over and our hearts were first in our mouths, and then the blood all went away and left us almost fainting as we stood and tried to step. . . . Bennett and Arcane caught us in their arms and embraced us with all their strength, and Mrs. Bennett when she came fell down on her knees and clung to me like a maniac in the great emotion that came to her, and not a word was spoken."

The story of the final escape of the party, though certainly not the least heroic in the annals of the westward movement, cannot be given here. Once out of Death Valley the route lay along the eastern slope of the Sierras, past Walker's Pass, through Red Rock Cañon, across the Mojave, through Soledad Cañon, and on to San Fernando. The Salt Lake Trail near Mountain Meadows was left on November 4, 1849. The survivors reached the plenty and safety of the California settlements March 7, 1850.

As for the Jayhawkers and the few other members of the train who had separated from the Bennett-Manly party, their story is also one of tragedy and suffering. Small groups became detached from the main company and sought to make their own way across the valley. One of these parties, consisting of eleven members, remained

unheard of for many years. Two of its number were afterwards found working in the gold mines of Northern California; and in 1856 a prospecting expedition in Death Valley came upon an abandoned camp around which were the skeletons of nine men. In addition to these victims, at least two more of the Jayhawkers died in the valley, and one succumbed while crossing the Mojave desert.

Travelling sometimes with and sometimes apart from the Jayhawkers, was a clergyman named Brier, his wife, and three small children, the oldest of whom was nine. Like the noble women of the Donner party, Mrs. Brier proved a constant source of inspiration and courage to her companions; and in the many stories of California heroism none deserves a higher place than hers. Many years after the expedition she was induced to tell something of her experiences. The following brief extract is taken from that narrative:

"The valley ended in a canyon with great walls rising up almost as high as we could see. There seemed no way out, for it ended almost in a straight wall. . . . Father Fish died that night. I made coffee for him, but he was all worn out. Isham died that night, too. It was always the same—hunger and thirst and an awful silence. . . .

"In the morning the men returned with the same story: 'No water.' Even the stoutest heart sank then, for nothing but sagebrush and dagger trees greeted the eye. My husband tied little Kirk to his back and staggered ahead. The child would murmur occasionally, 'Oh, father, where's the water?' His pitiful, delirious wails were worse to hear than the killing thirst. It was terrible. I seem to see it all over again. I staggered and struggled wearily behind with our other two boys and the oxen. The little fellows bore up bravely and hardly complained, though they could barely talk, so dry and swollen were their lips and tongue. John would try to cheer up his brother Kirk by telling him of the wonderful water we would find and all the good things we could get to eat. Every step I expected to sink down and die. I could hardly see."

That any of the California immigrants who entered Death Valley in 1849 emerged from it alive was due to the



cooler weather of the winter months and the kindness of fate. Not even the latter could have saved them if they had sought to cross in the heat of mid-summer. Such miracles are not performed when the thermometer stands at 140° in a valley below the level of the sea, where all but one per cent of the moisture has been sucked from the atmosphere, and where men go insane if deprived of water for so much as an hour.

The Death Valley tragedy occupies a unique place in the annals of the Forty Niners because of the horrors connected with it. Yet a fate scarcely less terrible, but of a different nature, was narrowly averted in the case of thousands of emigrants who left Salt Lake toward the close of summer or early in the fall, intending to cross the Sierras before snow closed the passes. These late comers found the grass along the route almost used up by earlier trains. Water was scarce and so unfit to drink that beasts and men alike were made sick by it. In places the road was so cut up by constant use that clouds of alkali dust enveloped every wagon, making travel difficult and slow. Cholera and scurvy attacked many of the companies, and exhaustion from the long journey and lack of food reduced others to a condition of despair.

The chief danger, however, was the coming of winter. If this should set in before the worn out emigrants were safely through the mountains, the tragedies of Donner Lake and Death Valley would be multiplied a hundred fold. Fortunately, as early as August, this danger was realized by General Persifor H. Smith, who had recently arrived, by way of Panama, to take charge of the United States forces in California; and in conjunction with Governor Riley, he despatched a few relief trains across the Sierras to aid the stragglers to get through.

As the season grew later, reports reached the cities and mining communities of California that thousands of emigrants still east of the mountains were in desperate straits, and unless help were sent would perish before they could reach a place of safety. Lack of food had driven many of

them, with disastrous results, to eat the putrifying flesh of oxen or mules that had died along the way. Others had lost all their animals from disease, or at the hands of the Indians, who were now becoming much more troublesome, and were striving to make their way across the mountains on foot. To add to the danger, snow had commenced to fall much earlier than usual in the high Sierras, making the passes more difficult every day and threatening a complete blockade before the emigrants could get through.

The emergency, great as it was, was met successfully by the organization of relief trains and the transportation of large quantities of supplies across the mountains. The work was largely in the hands of United States Army officers, with Major Rucker in command. In the face of great difficulties, he succeeded in bringing the last of the emigrant trains of 1849 through the snows before the route became impassable, though some of the parties had already been three days without food when the government supplies arrived.

Many of the companies which reached Salt Lake late in the summer of 1849, instead of completing their journey that year, remained until spring in the Mormon City. Much has been written of the treatment received by the gold seekers from Brigham Young's followers during this period; but the testimony is too nearly divided between good and ill for an authoritative conclusion to be reached. The Mormons certainly took advantage of the emigrants' needs to charge high prices—75c a pound for meat, 50c a gallon for milk, $500 for a wagon, were the prevailing rates—but later on, when the gold seekers reached the Sierras they found their fellow Gentiles at least as skillful at profiteering as the Mormons.

The story of the migration of 1850, except in detail, differs little from that of the preceding year. The spring months saw thousands of wagons, filled with men, women, children, household goods, food, and treasured possessions of every kind, taking the westward way. Along the route the drama of 1849 was reënacted. Cholera, scurvy, dysentery, acci-

dent, thirst, hunger, fatigue, Indian attack, quarrels, discouragement, and every other ill attacked the trains. Against these foes were set hope, ambition, steady determination, patience, humor, and the fighting spirit of the frontier. Here a train pauses in its slow progress toward the Pacific to bury one of its members; another within sight stops a few brief hours while a woman gives birth to a child. Days of easy travel with abundance of food, grass for the animals, light heartedness, music and good cheer around the evening camp, alternate with days of tragedy and unspeakable hardships.

Again in 1850, as in 1849, disaster threatened many of the emigrants who attempted to cross the Sierras late in the season. In September the Humboldt route was crowded with trains, most of them in desperate straits because of loss of animals, sickness, or lack of food; while farther north along the Pitt river, were other emigrants equally destitute, and subject in addition to Indian depredations.

Once more relief parties were formed and supplies sent to the sufferers. Voluntary organizations in Stockton, San Francisco, Marysville, and other communities, collected money with which to purchase food, and despatched pack trains across the mountains. Newspapers and individuals spread the appeal for funds; and money soon poured in from mining settlements and ranches, as well as from the cities. The heart of all California was touched with that sympathy and liberality which have since become the proverbial heritage of the state.

Perhaps the chiefest of the Good Samaritans of this early day was William Waldo, a member of the relief committee of Sacramento. No man was more untiring in his efforts to rescue the threatened emigrants, or so quick in his sympathies for their sufferings. Early in September he despatched a letter from his camp on the Humboldt, where he had gone with supplies, to the relief committee at Sacramento. An extract from this despatch will show, better than any other description, something of Waldo's generosity, and the desperate need he found among the trains.

"Should your committee," wrote Waldo, "still be unable to collect funds, I then ask that the committee, city council, or some other body of men, advance to the amount of eight or ten thousand dollars, and forward the amount in flour and little articles for the sick, to this point, and to the summit, for which I pledge my honor, if I live to return where it can be legally done, to set over all my right, title and interest to real estate in Sacramento City, that has cost me ten thousand dollars. This sum will send between twenty and twenty-five thousand pounds of flour to the summit. This in connection with the beef, horses, mules, and dead stock, that can be jerked before it putrifies, will save ten thousand human beings from starvation. A man can live very well upon half a pound of beef and a quarter of a pound of flour per day. I again repeat that these people must be relieved or they must die, and that by starvation. . . . Can you believe that the destitution is so general that during an absence of six days from this station, I found but two trains of which I could procure a piece of bread and a cup of coffee? I have known a cup of soup, containing not more than one spoonful of flour, to sell for one dollar, and the buyer considered himself fortunate to get it on those terms."

Thanks to the efforts of Waldo, Colonel Ralson, Major Sherman and others of like kind, and the generous response of the people of California, disaster was averted in 1850 as it had been in 1849. Aid was given not only to those on the central and northern routes, but also to the equally unfortunate caravans coming by way of the Gila. One cannot picture the outcome if this help had been denied. Even so, it is said, fifteen hundred graves were counted between Salt Lake and Sacramento along the Truckee route alone. Of such magnitude was the toll paid in the "Great Migration."



CHAPTER XVIII

STATEHOOD

WHILE the immigration spoken of in the previous chapter was in progress, California was face to face with the serious problem of establishing a government adequate to meet the new conditions. The American conquest, in fact, had ushered in an era of political transition. During the first three years of American possession, from 1846 to 1849, the newly acquired territory enjoyed almost as many rulers as in the old days of Mexican control, when frequently the province was "blessed with two governors at a time and once with triplets."

Sloat, who assumed command of California in his proclamation of July 7, 1846, gave place to Stockton before the month was out. Stockton, despite the claims of General Kearny, remained in control until shortly after the middle of January, 1847. He then passed over the governorship to Frémont who, in turn, was superseded by Kearny early in March. Within sixty days Kearny was succeeded by Mason, and Mason resigned in favor of Riley on April 12, 1849.

During much of this period, particularly after the ratification of the Treaty of Guadalupe Hidalgo, the political status of the newly acquired territory was in a state of curious uncertainty. The government during this year has been described as

> "Part military and part civil, and part no government at all. . . . The laws were most variant and variously conceived, the civil law, the Pike County code, the New York code, the common law, maritime law, the law of the plains, military law, and the miners' law, were all jumbled up together, and the Courts were as unique as the government and the laws; they were Americo-Mexican, military-civil, with a good degree of the vigilante."

Presumably, under international law, the laws and institutions of Mexico already existing in California should have remained in effect until definitely superseded by congressional legislation. As a matter of fact, however, the Mexican form of government was so ill-suited to American tastes and the needs of the country, that this theory, except in occasional instances, was wholly abandoned, and the successive governors found themselves compelled to work out a more practical program of their own.

The most striking instance of the few attempts to maintain institutions of Mexican origin was in the case of the *alcalde* appointments made by Commodore Stockton. One of the Americans, who sat in this seat of old time Spanish authority, was the Reverend Walter Colton, chosen by Stockton to serve as alcalde at Monterey. For three years Colton filled this office, the duties of which he thus described:—

> "By the laws and usages of the country, the judicial functions of the Alcalde of Monterey extend to all cases, civil and criminal, arising within the middle department of California. He is also the guardian of the public peace, and is charged with the maintenance of law and order, whenever and wherever threatened, or violated; he must arrest, fine, imprison, or sentence to the public works, the lawless and refractory, and he must enforce, through his executive powers, the decisions and sentences which he has pronounced in his judicial capacity. His prerogatives and official duties extend over all the multiplied interests and concerns of his department, and reach to every grievance and crime, from the jar that trembles around the domestic hearth, to the guilt which throws its gloom on the gallows and the grave."

Colton's apt description shows plainly enough why the American population of California, trained as it was to cherish the jury system and the constitutional limitation of authority, vigorously criticised the arbitrary powers lodged in the hands of the alcaldes, and did not willingly accept any of the other institutions of Spanish origin. As a result of this attitude, except in those communities like Monterey, where the new comers formed a comparatively small element of the population, the Mexican laws were



never applied; or, having been put into effect, were speedily rendered ineffectual by the strong opposition that developed against them. So it came about that in most of the distinctively American settlements, such as Sacramento or the mining communities, whatever government existed was almost wholly of local origin.

In San Francisco, where government for a time was lodged in the hands of an alcalde and ayuntamiento, or town council, the settlers finally took matters into their own hands (following a period in which two rival councils each claimed to be legally elected), and established a body, new both to American and Spanish law, known as the "legislative assembly." This assembly, consisting of fifteen members chosen by popular vote, sought to abolish the former ayuntamiento and alcalde, and with three justices of the peace, exercise all the functions of a city government. The members of the two rival councils resigned; but the alcalde, Thaddeus M. Leavenworth, refused to recognize the authority of the assembly, and appealed to General Persifor F. Smith, military commander, and Governor Riley, who held his office under federal appointment, for support.

Both Smith and Riley pronounced the assembly an illegal body and advised Leavenworth to maintain his office. The result was a temporary deadlock in San Francisco politics that brought to a head one of the most perplexing questions, both from a legal and practical standpoint, the United States government has ever faced in its dealings with new territory. In the technical sense of the term, California was plainly neither state nor territory. And yet, after the ratification of the Treaty of Guadalupe Hidalgo, it was scarcely possible, in any constitutional sense, for the federal authorities to hold her people under military rule. But this latter form of government, however unconstitutional it might be, was the only alternative to anarchy. And with good Anglo-Saxon common sense, the President prolonged it until the people of California themselves made its continuance no longer necessary.

Naturally, there was opposition to a form of government

which owed its existence to circumstances rather than to law; and many of the California immigrants by 1849 were advocating a kind of squatter sovereignty, under which the settlers themselves should set up a government to supersede the authority exercised by the federal officials. Locally, as in San Francisco, this popular assumption of authority developed into a conflict with the government already in existence. As the months went by, and Congress, deadlocked by the slavery issue, failed to set up a territorial form of government or meet the situation in any other way, California faced a dubious future. Military authority was fast outliving its usefulness and there seemed no prospect of having it displaced by a regularly organized territorial government. To save themselves from anarchy in this emergency, the people were compelled to act upon their own responsibility.

As early as December 11, 1848, the citizens of San José came together to consider "the propriety of establishing a Provisional Territorial Government for the protection of life and property." San Francisco, Sacramento, and Sonoma from time to time held similar meetings; and by the spring of 1849, only the expectation that the national Congress then in session would fulfill the promises of the federal government and establish a territorial organization, restrained the people from framing a government of their own.

When this hope failed, with the adjournment of Congress in March, California, so long "sans law, sans order, sans government," definitely set about organizing her own government and making an end of a situation that had always been anomolous, and was now fast becoming desperate, because of the turbulent, restless hordes the gold migration was daily bringing within her borders.

With unexpected (and not entirely welcome) suddenness, the leadership in this new movement was taken by Governor Riley, who issued a proclamation for the election of delegates to a general constitutional convention. At the same time the governor condemned the settler's organization in San Francisco as an illegal body. This resulted in an imme-

diate conflict between Riley and the leaders of the squatter sovereignty program, and for a time it looked as though the whole movement would end in failure. Fortunately, however, the settlers were more interested in securing order and settled government than in maintaining a technical right; and when common sense had gotten the better of local pride, they prepared to carry out the plan proposed by Riley.

The election of delegates to the convention was set for August 1st, and on the same day the people were instructed to choose the local officials known to Mexican law to serve until the state government should formally be established. The territory was divided into ten districts, from which a total of thirty-seven delegates were to be returned. Of these thirty-seven, Monterey, San José, and San Francisco were each to send five delegates; Sacramento, Sonoma, San Joaquin and Los Angeles four each; and San Diego, Santa Barbara, and San Luis Obispo two each. When the convention finally met, however, it was found that the number of delegates specified in the governor's proclamation had been disregarded by many of the districts, and a total of forty-eight representatives had been returned instead of thirty-seven. As most of these additional delegates came from northern districts, the final apportionment in the convention gave the north thirty-eight members and the south only ten.

As a whole, the convention was typical of the people who made up California in the fifties. Its membership included eight native Californians, among whom the most conspicuous were Mariano Guadalupe Vallejo of Sonoma, José Antonio Carrillo of Los Angeles, and Santa Barbara's sole delegate, Pablo De la Guerra. All of these were excellent representatives of the Mexican régime. Thomas O. Larkin and Don Abel Stearns of Los Angeles belonged to the older foreign residents, who had come to the coast long before the conquest and acquired something of a common interest and a common outlook with the Californians.

Most of the delegates, however, were typical of the new day and the new order ushered in by American occupation.



They were nearly all young men of serious purpose, not exceptionally well versed in political affairs, but practical enough to frame a constitution suited to the needs of the time, and little influenced by peculiar hobbies or personal political ambitions. From the standpoint of occupations, lawyers, ranchers, and merchants predominated; but nearly every other profession or business was also represented; for in its composition the convention was a true cross section of the entire population.

In accordance with the date set by Riley's proclamation, a few of the delegates met at Monterey on September 1st; but it was not until the following Tuesday (the 4th) that the convention was formally organized. Dr. Robert Semple of tall stature and Bear Flag fame, was elected president, and Captain William G. Marcy of the Stevenson regiment, chosen secretary. The meetings of the convention were held in a school house newly erected by the American alcalde, through "the labor of convicts, the taxes on rum and the banks of the gamblers."

In honor of its builder it was known as Colton Hall. The convention met in the upper story, which consisted of a single room, some sixty feet long by twenty-five feet wide. The following paragraph from a contemporary description gives a picture of the convention and its meeting place:

> "A railing, running across the middle of the hall, divided the members from the spectators. The former were seated at four long tables, the President occupying a rostrum at the further end, over which were suspended two American flags and an extraordinary picture of Washington, evidently the work of a native artist. The appearance of the whole body was exceedingly dignified and intellectual, and parliamentary decorum was strictly observed."

The most skillful member of the convention in the art of political manipulation, and in many respects the most capable statesman as well, was William M. Gwin of Tennessee, whose future for ten years was to be inseparably connected with the history of the state he was then helping to create. Through Gwin's foresight, copies of the recently drafted



Iowa constitution were printed for the use of the convention, and the document thus became a sort of working model for the guidance of the delegates. Other state constitutions were also made use of, notably that of New York. But for some of the peculiar needs of the new commonwealth there was no pattern. To meet these, the delegates were forced back upon their own ingenuity and common sense.

It is scarcely necessary here to attempt a further description of the constitution of 1849. Drafted under peculiar conditions by men little used to politics, and designed to meet an emergency, the document was naturally defective in many particulars and nearly thirty years later had to be abandoned for a new instrument. Nevertheless it met the needs of its time with a fair measure of satisfaction, and was not an unworthy product of the earnest and conscientious, if not brilliant men who framed it.

On most matters the convention worked without friction; but an occasional hotly debated issue broke the otherwise harmonious sessions. One of these disturbing questions was that of the eastern limits of the state. To the west the Pacific Ocean settled the boundary beyond dispute. The northern boundary had been definitely fixed along the 42nd parallel by the Treaty of 1819 with Spain. Similarly, the Treaty of Guadalupe Hidalgo had determined the international line to the south. But on the east there was an empire of uncertain extent, vaguely known to the Spaniards as part of their province of Alta California. Whether the territory to be included in the new state should follow these old boundaries to the Rocky Mountains, or stop at the Sierra Nevadas, was the vital question before the convention.

Two parties soon formed over this issue. The one led by Gwin, Halleck, Sherwood, and a few others, might properly be called the "large state" party, from their advocacy of the Rocky Mountains as the eastern limit. The second group sought just as vigorously to confine the state between the Pacific and the Sierras. After prolonged debate, by a vote of 32 to 7, a compromise line was chosen, fixing the boundary as we have it now.

The motives behind this division of the convention into "large" and "small" state parties were not particularly complex. Those who advocated the wider boundary believed that it more nearly approximated the historical limits of California under Spanish rule—a view entirely correct—and that the larger state could eventually bear the expenses of a government more easily than one of smaller size. There was also an immediate need for courts, and the enforcement of law, in the region beyond the Sierras through which the immigrants were coming into California. Finally, the members of this party believed that Congress would more readily admit the state if the convention set its eastern boundary at the Rockies, instead of at the Sierra Nevada.

The small state advocates, curiously enough, argued from the same premises to a directly opposite conclusion. It would be impossible, they said, for a state located on the Pacific to administer a government for the vast, semi-desert region across the Sierras. Nor did they believe that the people of California had any right to extend their boundaries so as to include the Mormon inhabitants of Utah, who were already seeking to establish their own state of Deseret. Furthermore, it would be utterly preposterous for the convention to expect Congress to admit California to the Union with the larger boundaries proposed, and the attempt to secure Congressional sanction for the constitution, under such circumstances, would only result in complete rejection of the plea for statehood.

It should be remarked, also, that the older historical writers commonly ascribed to the party advocating the larger boundaries a sort of Machiavellian shrewdness, by which, through subsequent division of the enormous state, they hoped to provide for the extension of slavery to the coast. This tradition, which never had much foundation in fact, of late years has been so thoroughly disproven as to require little comment here.[1]

The truth is, the people who emigrated to California

[1] See Goodwin, Cardinal, *Establishment of state government in California*, Ch. VII, for a full discussion of this question.

from the eastern states, whatever may have been their views in the older communities from which they came, realized clearly enough that slavery had no place in the new environment, and never supported it in any way as a local institution. The unanimous vote of the constitutional convention in favor of a clause which read "neither slavery nor involuntary servitude, unless for the punishment for crimes, shall ever be tolerated in this state," ought to be clear enough evidence of the attitude in California toward this question. And one feels free to dismiss the whole subject without further consideration.

Amid the firing of salutes and an impromptu celebration, the members of the convention completed their work and signed the constitution on Saturday afternoon, October 13, 1849. Bayard Taylor, who was present at the scene, paid tribute to the framers of the document in the following words:

"The questions they had to settle, were often perplexing, from the remarkable position of the country and the absence of all precedent. Besides, many of them were men unused to legislation. Some had for years past known no other life than that of the camp; others had nearly forgotten all law in the wild life of the mountains; others again were familiar only with that practiced under the rule of a different race. Yet the courtesies of debate have never been wantonly violated, and the result of every conflict of opinion has been a quiet acquiescence on the part of the minority. Now, at the conclusion, the only feeling is that of general joy and congratulation."

November 13th, a Tuesday, was fixed as the date for submitting the constitution to the people for ratification. At the same election state officials, including a governor and members of the legislature, were to be chosen, and also the two federal Congressmen to which the state, according to its population, was entitled. The first legislature, provided the constitution carried, was to meet at San José, the capital, on December 15, 1849.

Rain, apathy, difficulty in reaching the polling centers,

and various other causes, reduced the vote on election day to an unsatisfactory minimum. From a population of approximately 100,000, most of whom were men of voting age, only 12,875 ballots were returned. The lightness of the vote, however, was much more than counter-balanced by the percentage in favor of the constitution. Only 811 votes were cast against it, while the total affirmative vote was 12,064. From among a number of candidates, Peter H. Burnett, a former Oregon pioneer, was chosen governor; and Gilbert and Wright were elected to Congress.

From all accounts, the election was conducted with reasonable honesty; but circumstances and public sentiment alike threw embarrassing legal regulations to the winds. Some of the candidates spent both money and energy in their campaigns. And in addition, Governor Riley, Halleck, and President Tyler's personal representative, Thomas Butler King, waged a very vigorous fight to insure the ratification of the constitution.

In the mining sections, which then contained the bulk of the state's population, the event was regarded with that semi-humorous attitude typical of the western pioneer toward most political questions.

> "The choosing of candidates from lists, nearly all of whom were entirely unknown, was very amusing," wrote Bayard Taylor, "names, in many instances, were made to stand for principles; accordingly a Mr. Fair got many votes. One of the candidates, who had been on the river a few days previous wearing a high crowned silk hat, with narrow brim, lost about twenty votes on that account. Some went no further than to vote for those whom they actually knew. One who took the opposite extreme, justified himself in this wise: 'When I left home,' said he, 'I was determined *to go it blind.* I went it blind in coming to California, and I'm not going to stop now. I voted for the constitution and I've never seen the constitution. I voted for all the candidates and I don't know a damned one of them.' "

The ratification of the constitution and the election of state officials by no means solved California's problem of

statehood. The great difficulty was to secure the sanction of Congress for an act which no Congressional statute had authorized, and for which no precedent could anywhere be found. The chief obstacle, however, in the way of California's admission to the union was slavery—the same barrier that had prevented Congress from establishing a territorial form of government for the province, and which now, for a number of weary and dangerous months, threatened the state with a chaos bordering upon revolution.

It was once pretty generally believed that the annexation of California was due to the sinister influence of the south, which, forever reaching out for more slave territory, finally brought about the Mexican War in order to obtain California as a slave state. This view, which neither facts nor logic ever justified, has been elsewhere effectually disproved. But, while slavery did not figure as a motive for the *acquisition* of California, it undeniably *did* figure in the heated conflict over the disposition of the territory, once it had come into the possession of the United States.

Little thought seems to have been given to the establishment of slavery in California, even by the most radical southern members of Congress, until David Wilmot of Pennsylvania introduced his famous amendment to the appropriation bill, which President Polk had requested from Congress to enable him to open confidential negotiations with Mexico. The Wilmot Proviso, first brought forward in August, 1846, aimed at the exclusion of slavery from all territory which the United States might secure from Mexico as a result of the war. The southern representatives were at first strangely apathetic regarding this amendment—a measure, which assuredly would have caused an immediate storm of opposition had any southerner at that time attached much importance to California as a slave holding state—and the House voted favorably upon it. Its passage through the Senate also seemed assured until, in the closing minutes of a very crowded session, one of its own supporters, "Honest" (but loquacious) John Davis of Massachusetts, talked it to an unexpected death.

In the next session of Congress, the pro-slavery element were in a very different temper regarding the Mexican cession. Without much hope that slavery would flourish on a large scale in New Mexico or California, because of the natural obstacles in its path, the south was almost a unit in demanding the right to share at least nominally in the fruits of the conquest. The practical question, as to whether negroes could be carried to California and profitably used there, was wholly lost sight of in the determination to maintain the equality of slave states with free. The fight over California, in the *acquisition* of which the south was much less interested than New England and the west, thus became an intense, bitter struggle over a principle that involved far more than the status of the territory in question.

By 1850 the question whether California should be free or nominally slave had brought the Union face to face with one of the few real crises in its history. Three parties were definitely in the field. Following the earlier lead of Polk, who believed that slavery in any part of California could never be more than an "abstract question," a very large group of moderates wished to extend the line of the Missouri Compromise (36° 30′) to the Pacific. A radical southern element, however, was demanding the whole area for slavery, and advancing the new doctrine that Congress had no authority to legislate against slavery in any of the national territory. Finally, a decidedly vigorous party in the north was insisting that the principle of the Wilmot Proviso should be adopted, and that the whole of the ceded region must be kept free.

For at least once in the course of history, the force of circumstance aided the cause of right. Following international law, since California had been free under Mexican rule, it was difficult to see how slavery could exist in the territory after its acquisition by the United States unless Congress specifically imposed it there. Such positive laws, the anti-slavery majority in the House would not pass under any consideration. Furthermore, the action of the people of California in definitely excluding slavery by their

constitution made it doubly certain that Congress would never force the system upon the state.

The south, however, was too thoroughly antagonized to yield, even before these odds. Threats of secession were freely made; and thus, strangely enough, the Union faced disruption as a consequence of the great territorial gains of the Mexican War. With the country as a whole hotly divided over the slave or free state issue, and the situation in California demanding a speedy settlement to prevent grave consequences among that impatient population, Congress came together again in December, 1849. Among the members of that body, however, was a spirit of antagonism and discord that augured ill for the immediate admission of the state.

During this session, President Taylor, whose special agent had done much to encourage the adoption of the constitution, repeatedly urged upon Congress the necessity of admitting California, and denied the right of that body to interfere with the free choice of the people of the prospective state, whether they favored or opposed slavery. His plan called for the settlement of the California question on its own merits, divorced from the other troublous issues connected with slavery which were then agitating the country. But Taylor was not to succeed in his plan. Intent, not only upon solving the California problem, but also upon settling the other questions in which slavery was concerned, Henry Clay, the great compromiser, insisted upon an inclusive program that embraced nearly all of the critical issues then before the nation.

Linked thus with some half a dozen other questions, the admission of California experienced a prolonged delay. The debate on Clay's compromise continued month after month. In the Senate, the great triumvirate of Webster, Clay, and Calhoun—the country's foremost statesmen for half a century—met in battle array for the last time. Calhoun died before the session closed. Webster marred a reputation and undeservedly lost political favor by his Seventh of March Speech. Clay, an old man worn out

by sickness and anxiety, labored incessantly to effect the compromises through which alone he believed the Union could be preserved.

Before the summer was well begun, President Taylor, who had consistently adhered to the admission of California divorced from all other issues, was taken suddenly ill and died. Fillmore, his successor, favored the plan of finding a common solution for all the slavery problems. But even with the support of the Executive, the compromise measures proposed by Clay could not be passed. The admission of California, the chief stumbling block to Clay's plan, was opposed on the ground that the people there had no shadow of authority to frame a constitution; that the boundaries of the proposed state were too large and could be fixed only by Congressional action; that the election, at which the constitution was adopted, was both irregular and unlawfully conducted; and finally, that the President had brought improper influence to bear upon the drafting and adoption of the constitution.

For some weeks longer the deadlock continued; until at last the compromise measure in which Clay alone saw hope of adjusting the nation's difficulties, began to fall apart. Depressed in spirit and almost ready for death, the old Kentuckian left Washington for the sea coast, where he hoped to regain a little measure of his fast ebbing strength.

In the meanwhile, the internal situation in California had become acute. For two years the people had waited in vain for Congress to establish a territorial form of government. Another year had almost passed since the drafting of their constitution, and statehood seemed as far as ever from realization. It was during these months of debate and delay in Congress, while the problem of law and order and settled government was daily becoming more critical around them, that the people of the state talked openly of declaring their independence, and of setting up a separate republic on the Pacific, thus bringing to pass the old idea of Lansford W. Hastings and of other empire dreamers in the days before the Mexican War.



But the measures Clay failed to carry in combination were finally voted favorably upon when presented separately. One by one the items of his compromise were embodied in separate bills and passed by Congress. The admission of California was finally carried in the Senate on August 13, 1850, by a vote of 38 to 14. On the 7th of the next month it was ratified in the House by a vote of 150 to 56. Two days later, September 9, 1850, the bill was signed by Fillmore, and California had become a state.

To California this of course meant the dawn of a new and glorious era; and to the nation, also, it meant ultimately more than ever men dreamed of at that time. But with this lasting blessing came a temporary curse. For out of the admission of California grew that "dark sequence of slavery and free soil issues"—the Kansas-Nebraska Bill, the question of Squatter Sovereignty and the Dred Scott Decision—which led up to the election of 1860 and the Civil War. The local significance of California's admission was thus for a decade actually secondary to its national importance.

CHAPTER XIX

MINES AND MINERS

SOCIETY and population in the new state, which had so vigorously thrust itself into the Union, were far from homogeneous. After excluding the native Californian and Indian elements, the citizenship was divided, both by geography and occupation, into three distinct types. First of these was the mining population, isolated for the most part from the rest of the state, with its own peculiar manner of life, its problems, and its unique institutions. Next came the tumultuous, hurrying life of San Francisco, full of corruption, generous impulses, and every other contradictory thing. Lastly, there was the long stretch of coast and valley land, as yet thinly populated and given over chiefly to cattle raising, which lay between Monterey and San Diego. Here a type of society developed which was neither that of the mines nor of San Francisco. It can best be studied, after the others have been described, in the local annals of Los Angeles from 1850 to 1860.

Roughly speaking, the mining regions of California during the first three years of the gold rush, embraced the mountainous portions of the territory lying between the San Joaquin River in the south and the Klamath and Trinity Rivers in the north. This area was later somewhat enlarged by the opening of mines in the Kern River district; but as late as 1852 Governor Bigler, in his annual message, classified as mining counties only those of Tuolumne, Calaveras, Sacramento, Yuba, and Butte.

In this mountainous region, which until 1848 had been uninhabited except by Indians, a population of many thousands sprang up as if by magic. Quiet river bars watched the development of cities over night; and many a lonely cañon,



LAWSON'S MAP OF THE GOLD REGIONS

(A typical example of 1849 cartography.)





visited some morning by a handful of prospectors—the first white men to traverse its course since the mountains themselves were made—by sundown had become the center of an excited, roaring camp. Here, along the American, the Feather, the Yuba, the Stanislaus, and a hundred kindred streams, a new chapter was written in American history. Life was lived for a few brief years without the restraints of civilization. Democracy, as literal as the world has ever known, flourished on every hand. Romance came down and walked openly among men, leaving behind a record of heroic accomplishment that can never be blotted from American tradition.

To supply the manifold needs of this suddenly arisen mining population, the rest of California found full outlet for its energies for several years. Monterey, and other seaport towns, after the first rush to the mines, when shops were closed and labor became almost unobtainable, experienced a phenomenal revival in business. Merchants became wealthy supplying miners' demands for every kind of goods. Real estate underwent an unheard of boom. The "miserable village of Yerba Buena" suddenly developed into the populous, crowded city of San Francisco, with life and activity everywhere. Even Southern California, far removed from the mining fields as it was, felt the stimulus of the gold excitement.

At the entrance to the gold regions, two cities, springing out of nothing, profited from the mining trade more than any others, with the possible exception of San Francisco. These were Stockton and Sacramento. The latter, laid out on a portion of Sutter's grant, had as many as four houses in April, 1849. By November its population fell but little short of ten thousand. At that time, according to a contemporary writer, each store in town was daily taking in from $1,000 to $3,000 from its sale of mining supplies and provisions. Drinking and gambling saloons paid a monthly rental of a thousand dollars. Wages were so high that carpenters receiving $12.00 a day went on strike for better pay.

In the more remote interior, where lay the actual mining

fields, other cities, rivaling Sacramento and Stockton, came into being. Many of these, such as Marysville, Placerville, Auburn, and Grass Valley still survive. But *relatively* speaking, their glory has long since departed; and the position of supremacy they once occupied has been preëmpted by the less romantic cities of seacoast and plain. In many cases, too, those thriving communities of the gold rush now live in tradition and memory alone. The following analysis of the election returns of 1852 casts an interesting light upon the distribution of population in the mining day.

San Francisco, as might be supposed, headed the list with eight thousand odd votes. Sacramento City (not just Sacramento, if you please!) came next with five thousand. Nevada boasted seventeen hundred; Stockton fifteen hundred; Marysville nearly an equal number; Placerville (née Hangtown) thirteen hundred; Columbia, twelve hundred; Sonora something over a thousand; Downieville, with seven hundred and forty-six to its credit, outnumbered San José by a hundred and thirty-one. Shasta City and Santa Clara were almost equal. Mokelumne Hill cast four hundred and fifty-nine votes; while Oakland had only three hundred. Los Angeles straggled far to the rear of Murphy's, whose total was five hundred and nineteen. San Diego came at the tail of the list with a hundred and sixty-seven—two more, and she might have claimed half the voting strength of the flourishing City of Volcano, Mistress of Sutter Creek!

Every camp had its name, perpetuating the memory of some unusual incident, or given in the broad spirit of humor that came with the ox trains across the Sierras, where it found a more congenial soil than it had ever known before. Poker Flat, as was fitting, was not very far from Gomorrah. Hell-out-for-Noon City was offset by Alpha and Omega. Ground Hog Glory was almost as prettily named as Mugfuzzle Flat or Slumgullion. Port Wine, Brandy, and Delirium Tremens perhaps had a certain logical connection. You-Bet and Poverty Flat were bona-fide names, and not the products of Bret Harte's imagination. Hangtown long since elected to be known as Placerville; and the respectable



half a billion dollars. The incredibly rich strikes which characterized the late months of 1848 were equalled or surpassed in succeeding years. But because of the larger number of gold hunters after the rush of 1849, good fortune from that time on was far from universal.

And in truth, while dazzling success came to a few, and fair returns to many, privation and hard work waited on all. For the life of the Forty Niner, gloss it and paint it as one may, was not particularly pleasant, except to that small number who found delight in its very hardships. Tents, which seldom kept out either rain or cold, and crude log cabins made up the typical miner's abode. Floors were generally of earth; window glass was rare, and not infrequently empty fruit jars were made to serve as a substitute. Furniture was of the simplest kind and commonly the owner's handiwork, boxes and barrels serving as the material upon which he exercised his ingenuity.

Clothing, especially in the early years, was of every description; but the typical miner's garb consisted of flannel shirt, heavy trousers stuffed into thick leather boots, soft flannel hat, and generally a belt containing knife or pistol. Shaving was a lost art. Food was generally abundant and of surprising variety. The staples were sugar, bacon, beans, coffee, ham, mackeral, potatoes, onions, salt and flour. Beef and butter were sometimes on hand; wild game, such as pigeons, quail, fish, venison, and bear meat could easily be obtained by the miner himself, or purchased from professional hunters, many of whom made more at their occupation than the miner did at his. Canned goods and liquors were very plentiful. Bread was baked in the indispensable Dutch oven, which, with coffee pot and frying pan, completed the ordinary kitchen equipment.

Where gold was the chief stock in trade, and men reckoned values in ounces instead of dollars, prices necessarily attained unheard of levels. The old standards of value simply did not apply. A few instances will sufficiently illustrate this point. On the Stanislaus River in 1848, flour sold for a dollar and a half a pound. A like amount of brown sugar

brought three dollars. Onions were a dollar a pound, and candles fifty cents each. Two barrels of liquor netted the fortunate owner seven thousand dollars in six days time.

A firm on the Middle Yuba in 1851 had the following account against one of the Peggsville miners, whose taste both for liquids and canned sea foods was perhaps more marked than that of most of his contemporaries:

1 can lobsters	$ 3.50	½ pound Onions	.75
1 Bottle brandy	3.00	3 Bottles Whisky	9.00
3 drinks	.75	1 Drink	.25
1 box sardines	4.00	9 Do.	2.25
10 drinks	2.50	2 Do.	.50
7 drinks	1.75	3 Bottles Porter	6.00
1 Bottle Whisky	3.00	6 Drinks	1.50
1 pair of Boots	18.00	7 Do.	1.75
5 Drinks	1.25	1 Box Sardines	4.00
2 bottles Whisky	6.00	1 Box Lobsters	4.00
5 Drinks	1.25	2 Pair Blankets	28.00

Early travel to the mines was largely on horseback or by river steamer. Every sort of craft was pressed into service on the Sacramento and San Joaquin; and the parts of many small vessels were brought around the Horn on the decks of steamers to be re-assembled at San Francisco. In 1849 the fare between Sacramento and the Bay was $25 or $30. Meals cost $2 each, state rooms were $10, and freight paid $40 or $50 a ton. At such prices one of the Sacramento boats, the *Senator*, is reported to have cleared $60,000 monthly for her owners. But decrease of traffic and increased competition afterwards brought on a rate war, which at one time reduced the cabin fare to a dollar.

Travel in the mountains was at first on foot or by horseback. Goods were carried by pack train or on the owner's back. But later, with the building of roads instead of trails, the stage coach (so inseparably connected in the public mind with the mining days) and the heavy freighter came into use. Hotels, so-called, existed in every mining community of any size. They lacked, naturally, in refinement,



but made up for this deficiency in rates. Hinton R. Helper, better known as the author of the *Impending Crisis*, who spent "a weary and unprofitable sojourn of three years in various parts of California" during the gold excitement, thus describes the public house of Sonora:—

"The best hotel in the place is a one-story structure, built of unhewn saplings, covered with canvas and floored with dirt. It consists of one undivided room, in which the tables, berths and benches are all arranged. Here we sleep, eat, and drink. Four or five tiers of berths or bunks, one directly above another are built against the walls of the cabin by means of upright posts and cross pieces, fastened with thongs of rawhide. The bedding is composed of a small straw mattress about two feet wide, an uncased pillow stuffed with the same material and a single blanket. When we creep into one of these nests it is optional with us whether we unboot or uncoat ourselves; but it would be looked upon as an act of ill-breeding to go to bed with one's hat on."

Even at such hotels, however, the meals were generally bountiful and the fare varied, furnishing a welcome change, from their "own home cooking," to the miners of the surrounding country when they came into town to celebrate or purchase supplies.

Gold mining, even in '49, was full of the monotony of hard work, and those engaged in it naturally sought whatever diversion they could find. The field of amusement, however, was rather limited, though much of it made up in intensity what it lacked in variety. The most common and prosaic relaxation was the hour of talk and story telling after supper, with pipes lit and camp fire throwing a bit of enchantment over the little circle of tired men. Where there was music, the songs most frequently sung were those old favorites of pre-Civil War days—"Ben Bolt," "Highland Mary," "The Last Rose of Summer," "Life on the Ocean Wave," or even "Coronation," and "Old Hundred." Other songs of a more temporary character also had wide popularity. One of these, "Joe Bowers from Pike," was universally sung from Shasta to the Stanislaus. It had an



interminable number of verses, four of which will probably be sufficient to illustrate the general character of the masterpiece:

My name it is Joe Bowers,
I have a brother Ike:
I came from ol' Missouri—
Came all th' way from Pike.
I'll tell you why I left thar,
An' why I come to roam;
An' leave my poor ol' Mammy,
So far away from home.

I uster court a gal thar,
Her name was Sally Black;
I ast her if she'd marry me,
She said it was a "whack."
Says she to me, "Joe Bowers
Before we hitch fer life,
You oughter have a little home,
To keep your little wife!"

"Oh, Sally, dearest Sally!
Oh, Sally fer your sake,
I'll go to Californy,
An' try to raise a stake."
Says she to me, "Joe Bowers,
You are the man to win;
Here's a kiss to bind the bargain"—
And she threw a dozen in.

At length I went to minin',
Put in my biggest licks;
Went down upon the boulders,
Jes' like a thousand bricks.
I worked both late and early,
In rain, in sun, in snow;
I was workin' fer my Sally,
'T was all the same to Joe!

The last verse recorded how poor Joe received word of Sally's fickleness. She had jilted him for a red-headed butcher and become the mother of a red-headed baby.[1]

[1] Copied from McWilliams, John, *Recollections*, 96–97.



Extemporaneous compositions, that had rich local flavor, were also produced in moments of deep inspiration. This chorus, for example, was an especial favorite with the miners of Selby Flat. To be properly appreciated it should be heard, shouted over and over again as a midnight serenade by a hundred lusty miners, each one beating his own accompaniment on a tin wash pan with a stick. It ran thus:

> "On Selby Flat we live in style
> Will stay right here till we make our pile.
> We're sure to do it after a while,
> Then good-bye to Californy."

The more exciting diversions were drinking, gambling, and dancing. So much has been written of the part these played in the life of a mining community that little additional can be said. Of course the picture has been overdrawn, for not every miner lost his pile at poker and faro, or drank himself into a drunken stupor every night. Many a Forty Niner, indeed, was as strict an abstainer as the straightest sect of the Prohibitionists could desire; and also kept himself free from the vice of gambling, except as his profession itself was one great game of chance.

Yet the common notion, so thoroughly standardized in modern motion picture scenes, that every mining town was merely a collection of saloons and gambling houses, adjoined by more saloons and gambling houses, has behind it an element of truth. The moderate use of liquor was looked upon in 1850, even by the sedate society of "the States," in much the same light that coffee drinking is regarded in our own generation. A population of young men, from which the accepted restraints of public opinion were largely absent, working long hours at the hardest kind of physical labor, craving excitement to break the monotony and loneliness and despair which many of them experienced; or else seeking an outlet for excess of animal spirits, would scarcely set for themselves more rigid standards in the new environment than they were accustomed to in the old. And so the miners of California drank almost as unthinkingly as they

ate or slept. But among the better element, constituting probably ninety per cent of the population, actual drunkenness found little place, except perhaps on those rare occasions when the "mob" spirit, or some kindred influence, swept whole communities into one grand spree.

In nearly all the mines, Sunday morning was observed as wash day, or perhaps given over to baking the week's supply of bread; while Sunday afternoon was spent at such amusements as the town afforded. Gambling was the universal pastime. The miner had his choice of roulette, monte, faro, poker, twenty-one, all fours, lansquenet, and as many other games of chance as were known to the world of that day.

Whatever the miner's selection, however, the professional gambler, with all the tricks of his trade, was pretty sure to take from him in the long run the gold he had managed to accumulate. Even where the professional element was absent, gambling between the miners themselves for surprisingly large stakes was often indulged in. One of the most interesting diaries of the time yet published has this description of a poker game at Coyoteville, on the South Fork of the Yuba:[2]

"There were four partners in one of the richest claims on the hill and they got to gambling together. They started in playing five dollars ante and passing the buck. Then they raised it to twenty-five dollars ante each, and Jack Breedlove, one of the partners, cleaned out the rest of them, winning twenty-two thousand dollars. Not satisfied with this they staked their interests in the claim, valuing a fourth at ten thousand dollars, and, when the game quit, Zeke Roubier, another of the partners, won back eight thousand dollars and held to his fourth interest. The other two went broke and Breedlove ended by owning three fourths of the claim and winning fourteen thousand dollars, so that altogether he was thirty-four thousand dollars ahead. He offered his old partners work in the mine at an ounce a day, which they refused, packed their blankets and started out in search of new diggings."

The establishment of a government and the preservation of a fair degree of law and order were naturally among the

[2] Canfield, Chauncey L., *ed.*, *Diary of a forty-niner*, Boston, 1920.



most serious problems faced by the mining communities. Neither federal nor state officials were strong enough to meet the situation; and indeed for several years the regularly constituted authorities made no attempt to deal with it. Each mining camp, accordingly, almost literally did that which seemed right in its own eyes, without let or hindrance from the outside. Under such conditions, political institutions were necessarily very simple, and government was designed to meet only the most fundamental needs of the society which gave it origin. These needs were chiefly the protection of life and property, and the creation of some clear-cut, non-technical rules by which the business of mining might be carried on.

Such regulations, though lacking the sanction of formal law, had behind them the stronger authority of custom and public opinion. Violations were generally punished with startling directness and vigor, but only after conviction according to established rules. In all of this there was no great miracle of political evolution. It was due entirely to a certain Anglo-Saxon aptitude for self-government, mixed with a large amount of common sense.

Nearly all authorities agree that the mining communities were remarkably free from crime during the summer and fall of 1848. But the migration of the next year wrought a decided change. Deserters, desperadoes, professional gamblers, undesirables from the States, men who deliberately shed their moral standards as they left civilization behind, criminals and outlaws from Mexico and other Hispanic American countries, the riff-raff of Europe and Asia—all these helped to make up the later mining population; and in the chaotic social conditions around them, found free play for all their vicious tendencies.

Drunkenness and gambling were responsible for much of the crime committed. Moreover, the very abundance of gold and the universal practice of carrying it on one's person, or leaving it in scarcely concealed hiding places, tempted to theft. Many men, not naturally law breakers, were driven to desperation by misfortune or hardship.

Others, though not necessarily professional criminals, belonged to a discontented, restless class, which moved continually from camp to camp looking for a fortune without work, and naturally drifted into crime.

Society was reckless, drunkenness common, and everyone went armed with knife or pistol. Murder was therefore the commonest of crimes, and wherever self-defense could be pleaded was seldom punished. Theft was practiced in various forms, especially in the rifling of sluice boxes or the robbing of tents. Claim jumping was frequently attempted, usually with disastrous results to one or the other party. Disputes over water rights sometimes led to pitched battles and numerous deaths.

But among all the violators of the law, the highwayman was most distinguished in the days of '49. No mining camp or stage coach but had its experience, frequently ending in tragedy, with this enemy to society. Much romance has been written about him, most of which is sentimental rot. For the average highwayman of that day was like his successor of today. He was brutal, callous, and anything but sportsmanlike. He took his victims unaware, and often shot them down in cold blood for the pure delight of murder. Sometimes he worked alone, but more often in company with a few debased villains like himself.

Occasionally these criminals were brought together by some conspicuously able leader into a highly organized, effective company, whose depredations terrorized the whole mining area. The most notorious of these gangs was that led by Joaquin Murietta. The operations of Murietta and his cut-throat followers extended at one time or another almost from Siskiyou to San Diego. Other bands, like that led by Reelfoot Williams in the neighborhood of Downieville, confined their attentions to a more restricted district.

Suspected criminals, at least in the more settled communities, were nearly always given what, under the circumstances, must be regarded as a fair trial. The most extreme



form of lynch law, however, sometimes prevailed in newly established camps, especially in those cases where Chinamen or other foreigners were involved. But generally speaking, even here the offender was tried by judge and jury and punished according to established custom. Hanging was the recognized punishment for serious offenses, such as murder and robbery. Once the criminal had been declared guilty, justice knew no delays and was commonly meted out within a few hours. Nor is there any record of a plea of emotional insanity having saved a murderer's neck in the primitive days of '49.

Minor offenses were punished with whipping and exile; or sometimes even by death. Yet in spite of the salutary effects of these self-constituted courts (and conditions would have been intolerable without them, even though they had their defects), lawlessness each year became an ever more serious problem in the mines, as indeed it was throughout the entire state. Delano wrote in his *Life on the Plains* that robbery and murder were of daily occurrence in 1851, and that organized bands of thieves existed both in the towns and mountains. The writer of the "Shirley Letters" —as delightful literature, it may be remarked, as ever came out of the mining regions—found that social life had deteriorated so seriously by 1852 that within the short space of three weeks, her own little community of Rich Bar had witnessed "murders, fearful accidents, bloody deaths, a mob, whippings, a hanging, an attempt at suicide, and a fatal duel."

The truth is that all California, the mining regions, as well as every other section, was compelled to fight out the old battle between law and disorder which every frontier society has had to face. The rapid increase of population, the many attractions held out to the lawless element of every land, the weakness of regular government institutions, and the large size of the state over which these institutions were supposed to spread, all made the problem in California one of peculiar difficulty. Yet, all things considered, life and property were probably as secure in the

mining regions during these uncertain years as anywhere else in the state. Certainly, lawlessness was not the exclusive prerogative of the gold seeker. Rivals in the cities and cattle sections broke down his monopoly.

For dealing with questions of boundaries, rival claims, and such matters, each mining camp established its own customs. Ordinarily there were definite local regulations covering these points, which were written into a sort of code. These were enforced by a committee of the miners, acting through a president and secretary; while disputes were decided by a jury. The following articles, enacted by the miners of Jackass Gulch on October 16, 1852, will serve to show the nature of these local regulations, which for several years constituted the only mining law the mountain regions knew. It may be remarked, parenthetically, that Jackass Gulch, five miles north of Sonora, was one of the richest camps in California and for several years enjoyed great notoriety. Here many a lucky miner struck a bonanza that yielded him a fortune in a few hours. The regulations read thus:

ARTICLE I

Each and every person shall be entitled to one claim by virtue of occupation, the same not to exceed one hundred feet square.

ARTICLE II

To hold any claim or claims by virtue of purchase, the same must be in good faith and under a bona fide bill of sale, certified to as to the genuiness of the signature and the consideration given by two disinterested persons.

ARTICLE III

Any question arising under article II shall be decided on application of either party by a jury of 5 members.

ARTICLE IV

Any claim located on any gulch may be held by putting up notices, with the names of the parties thereon, and renewing the same every ten days till water can be had.[3]

[3] In most cases a pick or shovel left in the workings was sufficient to hold a claim.



ARTICLE V

Any claim upon which there is sufficiency of water to be worked in the usual manner, if not worked for the space of five days shall be forfeited, unless provided the party interested is prevented from working by sickness or other good and sufficient cause.

ARTICLE VI

These Rules and By-Laws shall extend over Jackass and Soldier Gulches and their tributaries.

CHARLES GIBSON,
President
JAS. CORNIFF,
Secretary

One of the most fertile causes of trouble in the mining regions was the question of water rights. In many of the dry diggings, water could be obtained only by constructing costly wooden flumes or open ditches; and not infrequently companies were formed to undertake this work, finding their profit in the sale of water to the various claims. The main ditch or flume, upon reaching the diggings, was divided into as many smaller streams as it could adequately supply, and these in turn were made to serve two or three Long Toms apiece. From four to ten per cent of the gold secured by the miners went to pay these water charges, so that the profits of the ditch companies were generally very large. The company supplying Timbuctoo, for example, paid annual dividends of 40% on an investment of $600,000. In this case the ditch through which the water flowed was thirty-five miles long.

The dependence of the miners upon such companies for the water, without which operations were impossible, the rival claims for stream rights, the question of prior use, and a score of similar issues, made water almost as much a source of wrangling and bloodshed as the gold itself. To settle these disputes, the state at last built up a most elaborate riparian code, which became much more complex when the long, bitter struggle began over the use of streams for irrigation purposes. But in the hectic days of California's

youth, the question of water ownership and use was generally settled by force rather than by legal technicalities. The foreign element in the mines was also the cause of a vast amount of trouble. In the great rush of 1848 and 1849, almost as many vessels came from foreign ports as from the United States. Japan seems to have been practically the only country of importance not represented in the heterogeneous population that crowded into the Sierras; and before many months, racial antagonism began to appear in various forms. As early as January, 1849, General Persifor F. Smith, who was then at Panama enroute to California to take command of the United States forces, urged that all non-citizens, who sought to mine on the public domain, should be treated as trespassers. But his efforts failed, and the foreign influx still continued.

Generally speaking, persons of European birth were not regarded as aliens by the American miners.[4] Indeed, if one omits the Indians, the only foreigners against whom real prejudice existed were Mexicans (or Hispanic Americans generally) and the Chinese. The former were very numerous, coming into California by the thousands overland from Mexico, and by sea from every country of Central and South America. The states of Chihuahua and Sonora were especially well represented in this migration, and the fame of the latter still lingers in the name of one of the most important of mining towns.

These Hispanic Americans, whether from Chili, Peru, Mexico, or any other country south of the Rio Grande, were skilled miners and trained for generations in a business with which most of the American immigrants were experimenting for the first time. Many of them were decent and law-abiding enough; but without prejudice, it must be admitted that a considerable portion belonged to a class ranked as undesirable even in the countries from which they came. They were inveterate gamblers and utterly reckless when intoxicated. Robbery and murder were common enough

[4] The French miner, however, was not very popular in most Anglo-Saxon camps.

with them before they came to California; and the new environment furnished both cause and opportunity for carrying on these crimes on a larger scale. From them came many of the most desperate criminals of the mining days; and as a natural consequence, the cruelest and most treacherous deeds were always laid at their door.

In addition to the evils for which the Hispanic Americans were actually responsible, the old anti-Spanish prejudice of the southwest also worked against them in California. Frequently this antipathy was mutual, resulting in a small race war, accompanied by much bloodshed. More often, however, race prejudice, stimulated by the helplessness of the victims, led the rougher element of a mining camp, many of whom were quite likely to be foreigners themselves, to seize the claims which Mexicans or Chilians had opened up, and drive the latter away from the community, without resorting to actual bloodshed, unless the dispossessed owners were foolish enough to resist such high handed acts of justice. Later on, many mining camps passed laws like that enacted at the El Dorado Branch House, "that no Asiatic, Mexican, or South American shall hold a claim in our mines."

From a political standpoint, this feeling against the Mexican miners and their kindred, culminated in the famous Foreign Miner's Tax Law of the first California legislature. The chief feature of this statute was a monthly tax of twenty dollars upon each foreigner engaged in mining. This was collected under a system of licenses, and forced many foreigners to abandon claims of their own to work for day wages. Others refused to pay the fee, forcibly resisting the officials sent to collect it. Evasions were also common; and scoundrels, masquerading as state officials, often obtained large sums from false collections or through various other forms of graft. Altogether, the tax proved such a failure and trouble maker that it was speedily repealed. Some time afterward, however, it was revived at a much lower rate.

Agitation against the Chinese did not begin until 1851,

since previous to that time they were not present in the mining camp in sufficient number to arouse prejudice. But opposition developed fast enough when the Hong Kong migration set in on a large scale. Unlike the Mexican, the Chinaman was seldom guilty of bloodshed, unless his victim was a fellow countryman. He was peaceful, inoffensive, and nearly always content to work over claims that his superiors had abandoned. While passionately fond of gambling, he won or lost without resorting to violence. About the most to be said against him, was that he kept to himself, wore peculiar clothes, worked long hours for relatively small returns, and sometimes robbed a white man's claim or cleaned up a sluice box twenty-four hours before the disappointed owner got around to do it for himself.

For all these faults the Chinaman paid very dearly, and for many others which criminals of other races fastened upon his defenseless person. As a consequence, he was lynched singly, or in groups, when some mining camp lost its head or surrendered its sense of justice to the baser element. His most common misfortune, however, was to be driven off the claim he had taken up or bought. This was sometimes done by men of the professional claim jumping class, who could too often, though not always, count upon anti-Chinese prejudice among the miners to prevent any defense of the unlucky owner. At other times, whole camps united to drive the Chinese out of their district. For example, two hundred Chinamen on the American River were expelled from their claims by sixty miners from Mormon Bar in the spring of 1852. The same sixty next descended upon four hundred celestials who were hard at work farther down the river at Horse Shoe Bar. To accomplish the work properly in this particular case, it was considered necessary to engage a band to accompany the expedition.

To conclude this chapter, which in limited space has sought to summarize the most crowded and energetic period of California history, one can do no better than to quote the following paragraph from Howard Shinn, a recognized authority on the mining days:



"The typical camp of the golden prime of '49 was flush, lively, reckless, and vigorous. Saloons and gambling-houses abounded; buildings and whole streets grew up like mushrooms, almost in a night. Every man carried a buckskin bag of gold dust, and it was received as currency at a dollar a pinch. Every one went armed, and felt fully able to protect himself. A stormy life ebbed and flowed through the town. In the camp, gathered as one household, under no law but that of their own making, were men from the North, South, East, and West, and from nearly every country of Europe, Asia, and South America. They mined, traded, gambled, fought, discussed camp affairs; they paid fifty cents a drink for their whisky, and fifty dollars a barrel for their flour, and thirty dollars a piece for butcher knives with which to pick gold from the rock-crevices."

Shinn might also have added that thus the miners played their part in one of the most romantic episodes of American history, and helped in no mean way to lay the foundation for a very noble state.



CHAPTER XX

SAN FRANCISCO, THE BOISTEROUS

MANY cities in the United States boast a more ancient lineage than that of San Francisco; but none can look back to a more vigorous, boisterous, or interesting youth.

In 1835 Captain W. A. Richardson laid the foundation for the modern San Francisco, by erecting a rude building on the beach known as Yerba Buena. The next year Jacob P. Leese built a comfortable frame house near the same site. As time went, Leese added a store and made the place something of a trading center for ships taking on wood and water across the bay at Sausalito. In 1841, however, Leese sold his property to the Hudson's Bay Company, which thereafter for four or five years became the chief factor in the commercial life of the little village.

With the American occupation Yerba Buena rapidly began to increase its scant population, and by the spring of 1848 could boast nearly nine hundred inhabitants. Telegraph, Rincon, and Russian hills marked the town's western boundary; and the narrow plain on which its adobe and frame buildings stood, merged into the water front where Battery and First Streets now touch Market. By this time the town had changed its name from Yerba Buena to San Francisco, established a number of newspapers, opened a public school, and become somewhat of a commercial rival to Monterey.

The first rush to the mining regions, however, brought this promising growth to a sudden end; for like all other towns of California, the would-be metropolis was virtually deserted by its inhabitants during the first few months of the gold excitement. Stores were closed, labor became almost unobtainable, and real estate depreciated woefully



in value. But before the year's close, prosperity and population came back with a rush like that of the tide in the Bay of Fundy. Immigrant ships began to dump hundreds of passengers upon the shore; tons of merchandise were piled in the streets; men were clamoring for places to eat and sleep; and there were eager, hurrying, insistent crowds where all before had been empty streets or unoccupied beach. (Never, since the days of Aladdin and his wonderful lamp, did a city arise so full of activity and life in so short a time.)

In this sudden growth, naturally enough, beauty and comfort for a long time found little place. The dwellings were chiefly of canvas or rough lumber, affording only the flimsiest of shelter, and utterly devoid of attractive qualities. They straggled from water front to hillside, for a time paying but little attention to the street lines marked out by official survey; or grouped themselves in a compact, disorderly mass behind the shelter of the sand hills in the area now bounded by First, Second, Market and Mission Streets, in what was then known as Happy Valley.

In summer the streets were dusty, wind swept, and rendered almost impassable by the boxes and bales of merchandise whose owners had no other places of storage. In winter, especially that of 1849 and 1850, the dust became a sea of mud in which, incredible as it may seem, animals not infrequently disappeared from sight, and even drunken men were known to have died of suffocation. At the corner of Clay and Kearny Streets, so it is said, the mud became so serious that someone posted a warning which read, "This street is impassable. Not even Jackassable." W. T. Sherman also recounts in his *Memoirs* that he was afraid to ride down Montgomery Street after a rain because of the danger of being drowned in the mud and water, if his horse should stumble.

Almost every race and costume could be met with in the shops or gambling places of the new metropolis, for even as early as 1849 the cosmopolitan character of the city's population had become firmly established. Moor, Chinaman, Kanaka, Malay, Mexican, as well as immigrants

from all the European countries, touched elbows with Americans from every state in the Union. In the medley of strange dress which resulted from this variety of race, the flannel shirt, soft hat, and high boots of the miner easily predominated. Top hats, frock coats, jewelry, and other marks of a more elegant civilization, were also much affected by certain types. And thus it happened that sameness of dress was as foreign to those early days as monotony of life.

In San Francisco, as well as in the mining regions, democracy flourished on every hand. Men sloughed off their class distinctions as instinctively as a snake sheds its skin. Work was honorable; and a man's standing was not affected by his occupation, so long as he remained reasonably honest. The term *menial* disappeared from speech; and those who had once been accustomed to servants, now did their own cooking and mending, carried their own trunks, worked with pickax and shovel, or drove mule teams for employers who had not long since been day laborers in the eastern states!

The business life of the period can scarcely be described. It both partook of the characteristics of the people, and helped in no small way to intensify their predominant traits. Speculation, open handedness, startling success or equally swift failure, hurry, rush, and disregard of caution, were its chief features. Two streams flowing through the city constantly enriched its economic life, and day by day added to its amazing wealth. Every shipload and overland party of immigrants brought a new demand for food, lodging, drink, and mining equipment to the San Francisco merchants. Of even more importance, was the never failing influx of miners returning from the Sierras with the precious "dust" upon which the whole business life of the city depended.

Whether bound for home with his "pile," or merely seeking a brief relaxation at the city's flesh pots, the average miner spent his money generously and without much regard for what he got in return. Small change was seldom requested; few articles could be had for less than fifty cents; prices were almost never challenged; higgling was a lost art. Commodity prices in the city were normally about the same as at



the mines themselves. But when the market became glutted through excessive importations, or when goods could not be shipped to the mountains because of impassable roads, violent fluctuations made the merchant's profits as uncertain as the miner's luck. Flour, which sold on December 1, 1848, for twenty-seven dollars a barrel, within two weeks had fallen to twelve or fifteen dollars. Beef and pork dropped at times with even greater swiftness. Molasses, which one month cost four dollars a gallon, sold the next for sixty-five cents. More than one cargo was thrown into the bay because prices would not pay for its unloading; and several of the muddiest streets from time to time were rendered passable by dumping into them barrels of unsalable provisions, and other commodities not often used as paving material.

Wages, immediately after the first rush to the gold fields, reached and maintained high levels. Ordinary labor brought from eight to ten dollars a day; while mechanics and carpenters easily commanded twelve or sixteen. Restaurants and hotels charged what, for that period, were unheard of rates. The cheapest and best eating places in the city were run by Chinese proprietors, who gave ample and well cooked meals for a dollar each. But American houses, like the Alhambra or Delmonico's, had nothing to offer for less than five. Rooms at the more pretentious hotels, like the Ward, the Graham, or the St. Francis, brought as high as $250 a month; and even a bunk in tent or garret could be disposed of for $10 or $20 a week.

Rentals and real estate values were correspondingly high. According to Bayard Taylor, the Parker House was leased for $110,000 annually. A canvas tent, fifteen by twenty five, occupied by gamblers who called it the El Dorado, brought $40,000. A small broker's house, known as the Miner's Bank, rented for $75,000 a year. A one story building, with a twenty foot frontage on the Plaza, then known as Portsmouth Square, brought $40,000. And a cellar, twelve feet square and six feet deep, was offered for a law office at $250 a month. "Any room twenty by sixty

feet," wrote Sherman, "would rent for a thousand dollars a month."

Even though the cost of labor was high, and lumber, brought from Oregon or from the Graham mills at Santa Cruz, sold for $500 a thousand, when such rentals could be obtained for buildings of every description, the price of vacant property naturally mounted with sky rocket speed. Lots, which only a few years earlier had gone begging at twelve dollars each, now sold for as many thousand. Men, bankrupt in unfortunate mercantile ventures, suddenly found themselves rich through the possession of real estate previously considered worthless. More than one citizen, who had rushed off to the mines in 1848 and failed to make his fortune, came back to San Francisco to find his property so risen in value during his absence as to make him a wealthy man. Some of the shrewder Argonauts of 1849 thus found their true El Dorado in San Francisco real estate, which afforded early investors much surer and easier profits than the gold mines of the Sierras.

In most cases, at least up to 1853 when a decline in values began, almost the only cloud on the investor's horizon was the validity of title. To go into the innumerable disputes over land claims which troubled early San Francisco, would crowd all other material from this volume. Yet, though it cannot be written here, the story of San Francisco's real estate transactions has in it much beside technical details relating to land titles and law suits. A large part of the story, especially after 1850, would deal with official corruption and public indifference—a combination that has injured many another American municipality; and in the case of San Francisco, cost her most of her patrimony, and threw her early land titles into unfortunate confusion.

The subject is interesting, also, because it gave rise to some very clever attempted land frauds. One of these was the so-called Limantour grant, a claim brought forward in 1853 by José Limantour of Mexico before the California Land Commission to 600,000 acres of land in California. Included in the claim were a number of islands, and some



four square leagues in the heart of San Francisco. The grants were signed by Governor Micheltorena, to whom Limantour had furnished aid in the early forties, and seemed on their face to be unmistakably genuine.

So far at least as the San Francisco claims were concerned, they were upheld by the Land Commission. But after months of litigation, during which Limantour collected over $300,000 from property holders for quiet title, the United States District Court adjudged them fraudulent and ordered Limantour's arrest. The latter, after giving bond for $30,000, forfeited his bond and fled to Mexico.

Another spurious claim to three square leagues in the San Francisco limits was also brought forward about the time of the Limantour excitement, and served still further to cloud the titles of property holders and cause a semi-panic. This was known as the Santillan grant, so-called from the name of a priest, José Santillan, who produced a grant to the property in question, purporting to have been signed by Governor Pío Pico in 1846. The claim was sold by Santillan; and after passing into the hands of a company known as the Philadelphia Association, was approved by the Land Commission. Subsequent court proceedings, however, as in the case of the Limantour scheme, invalidated the claim and declared the grant a forgery.

Though the Limantour and Santillan claims were repudiated, the mere fact that frauds could be attempted on so large a scale and come so near of success, showed plainly enough the uncertainty and confusion surrounding the land titles of early San Francisco. Even an act of the State Legislature in 1851, recognizing the city's right to certain beach and water lots and confirming previous sales of such property, failed to clear away the difficulties. Court decisions for a long time were too conflicting to furnish any basis of adjustment. Squatters disputed the rights of legitimate owners; and for many years rival claimants settled the respective merits of their claims by resort to force, as often as by appeal to law.

In addition to these private disputes over land titles,

there was much juggling of the city's property by corrupt officials. All sorts of fraudulent practices were resorted to by which the municipality's valuable real estate, inherited from the old Spanish days or ceded to it by the government, was transferred to private individuals, many of whom thus became rich and infamous at the same time. So, through the first decade of San Francisco's history as an American municipality, along with all its splendid virility and optimism, ran the scandal of a city robbed of its heritage by conniving officials and unprincipled citizens.

Whatever its government might be doing, however, year after year the city continued its surprising growth, and added to its wealth by leaps and bounds. Misfortunes however, were not lacking to test the real metal of the new community. Chief of these were the six great fires, which, one after the other, swept over the city in eighteen months, beginning with December, 1849. The total loss entailed by these fires, most of which were thought to be of incendiary origin, was close to $25,000,000, none of which was covered by insurance. But with the spirit of courage and determination that showed itself again to the admiration of the world after the great disaster of 1906, the citizens each time rebuilt their devasted city, making it more substantial and desirable after every catastrophe.

The last of the six great fires started June 22, 1851, on the north side of Pacific near Powell, and destroyed, wholly or in part, some sixteen blocks, causing a loss of over $3,000,000. This, and the previous conflagrations, changed completely the San Francisco of tents and flimsy structures which had sprung up in the first months of 1849. Docks, wharves, sewers, sidewalks, paved streets, commodious and fire proof business houses, attractive and substantial homes took the place of the rude buildings and primitive structures of an earlier day. Business still continued to rely upon the mines for much of its prosperity; but a more widely diversified interest in shipping, lumber, agriculture, and other lines of productive activity, promised a broader and more secure foundation for the city's future.



Gold dust ceased to be the chief circulating medium, but gave place to ten and twenty dollar gold pieces privately coined, and to the fifty dollars "slugs" issued by the assay office in San Francisco. A motley list of silver coins, drawn from almost every country under the sun, served for small change and readily passed from hand to hand with only a rough attempt to fix approximate values. The smallest coin in use was a *bit*, or Spanish *real*, supposed to be equal to twelve and a half cents in American money; but as a matter of fact, nearly every small silver coin, whatever its face value, was classed as a *bit* and so accepted; for the San Franciscan still refused to think in terms of nickels and cents.

The year 1853 was marked by a feverish business activity and inflation of real estate values such as even the boom of 1849 had scarcely known; but in the midst of this hectic prosperity, were signs of coming trouble. The mining industry, though still producing many millions annually, was not able to support the thousands of persons who had made it their livelihood in previous years. Consequently, men were coming back from the mountains in large numbers and seeking employment in other lines, or turning to other occupations, especially to agriculture, for a livelihood.

This transition could not be accomplished without considerable strain upon the machinery of business. Merchants found their sales curtailed and ready money far more difficult to obtain. Goods had to be sold in the interior largely on credit; and gold continued to flow out of the state to meet bills already contracted with eastern merchants. The season of 1854 was unusually dry, bringing ruin not only to many ranchers, but also seriously reducing mining operations through lack of water. This and other difficulties led to nearly three hundred business failures in one year. In addition there occurred the very serious defalcation of Henry Meiggs, ex-councilman, public benefactor, and leading citizen of San Francisco, whose unpaid debts and fraudulent treasury warrants cost his creditors fully $800,000.

In spite of these adverse factors, however, San Francisco

experienced no actual crisis until the sudden collapse of several leading banking houses at the beginning of 1855. The crash happened shortly after the middle of February, when the firm of Page, Bacon and Company, probably the leading banking institution of California, became insolvent through the embarrassment of its parent company in St. Louis. This precipitated a run on the great banking and express house of Adams and Company, whose branch offices were in every mining center of California, and forced that institution to close its doors.

At the time of this failure, Adams and Company owed nearly $2,000,000 to depositors; and as there was then no national bankrupt law, the assets still on hand were successfully manipulated by means of receivers, attachments, and other legal devices to the great benefit of a few favored creditors and the complete disappointment of the rest. Litigation over the spoils lasted for seven years; but most of the depositors gained little or nothing from the proceedings. The law's failure to remedy the situation; or to punish those responsible for the disappearance of more than $200,000 of the company's assets, aroused public opinion to the danger point, and served as one of the contributing motives for the creation of the Vigilance Committee in 1856.

The financial panic did not confine itself to the two firms already mentioned. Three other leading houses, including those of Wells-Fargo, and Robinson and Company closed their doors on the same day that Adams and Company announced its failure. A run was also started on the remaining banks of the city; but either through good fortune or wiser management these were able to meet the demands of their excited depositors. These bank failures also forced many mercantile houses into bankruptcy, so that a general and very acute business depression followed the fat years of prosperity and speculation from 1849 to 1854.

The activity and feverish energy which characterized the material development of San Francisco between 1849 and 1855, also showed itself in the social side of the people's life. The amusements, or perhaps one should say, forms of relax-



ation, were generally strenuous and most unconventional, if judged by modern standards. They were of a nature, too, that inevitably fostered lawlessness, where a community tolerated them too long; and in the end became the source of viciousness and evil of the worst sort.

Though even from the beginning harmless pleasures were common enough, and year by year the better class of San Francisco turned with increasing eagerness to amusements of moral worth, patronizing concert, lecture, and drama with true liberality, establishing gardens and parks, and seeking in many ways to encourage culture and refinement; yet the characteristic amusements of those early days were not of the uplifting type.

Men found their chief delight in drinking, gambling, and association with loose women. The saloons and gambling houses, which stood open day and night, were indeed the recognized centers of the city's social life. Their furnishings were tawdry and vulgar, but of a kind to appeal to unrefined masculine taste, and provided an enticing contrast to the bare, cheerless rooms in which most of the people lived. Entertainment of various sorts was also supplied by most resorts, such as the Bella Union, the El Dorado, or the Veranda, to serve as an additional attraction to the crowds. To these features were added light, warmth, the opportunity for companionship, and an atmosphere surcharged with excitement. Stronger than all, however, was the appeal of bar and gambling table.

As was to be expected, women of an undesirable character began to make their appearance very early in San Francisco society. Many of these were first brought in from Mazatlan or similar west coast Latin American cities; and others came from the sea ports of Asia. Later, the underworld of Paris, London and New York added to the stream; until the prostitute became a familiar figure on every San Francisco street. Here again, as in the other aspects of social life, the old restraints and conventionalities were cast utterly aside. Men of prominence and eminent standing in the community appeared openly in the company of these

daughters of Rahab, without exciting unfavorable comment or even attracting much attention. Few condemned them, because few thought evil of what they did. Old standards were temporarily abandoned. San Francisco had for the time being adopted a new code of ethics and behavior.

In this society, with its lack of restraint and emphasis upon the individual, the maintenance of one's rights became largely a personal matter with which the common place law had little to do. As a matter of course nearly every man went armed, choosing knife or revolver according to individual taste. Disputes were settled "on sight," or made the subject of formal duels. The five hundred odd saloons, with which the city was blessed by 1855, did not tend to a condition of quietness and peace; nor did the excitement bred in gambling houses, or the influence of immoral women prove of much assistance in this regard.

Homicide was too common to excite much comment, and as almost no attempt was made to enforce the law by regularly appointed officials, men almost ceased to take it into consideration. Principals in a quarrel were shot or stabbed to death, and by-standers who failed to get out of the way quickly enough accidentally killed, without society holding any one responsible. The law could not keep pace with the hurried rush of life, so that each man became his own protector—and not infrequently another man's judge and executioner as well.

Such conditions inevitably gave the vicious elements of society free rein for their activities. And there were enough of these lawless characters and to spare before the city had long outgrown its village stage. A criminal community, known as Sydney Town, in honor of the ex-Australian convicts who founded it, had sprung up between Broadway and Pacific near the water front, to which all manner of evil characters resorted. But this community, bad as it was, did not have a monopoly of the undesirables, for they were too numerous to be confined to any one quarter of the city. Like most criminal classes, that of San Francisco was very cosmopolitan in its make-up. The riffraff of

Europe, Asia, and South America, which followed in the wake of the gold rush, were continually augmented by American rowdies from the eastern cities, or scoundrels from the southern and western states. To these was added a steady stream of weak or desperate characters with whom life in California had dealt too hard—failures from the mines, men who had lost fortune and self-respect through gambling or drink, and all the unpleasant by-products which California, *inter pocula*, necessarily produced.

Another factor in the creation of lawlessness was the lax administration of the municipal government. From the American occupation down to May 1, 1850, the city was governed for the most part under the primitive Mexican institutions of alcalde and ayuntamiento. During much of this period there was considerable waste of public funds and something akin to chaos in municipal affairs. The status of the government in 1849 was thus described by one of the early alcaldes:

"At this time we are without a dollar in the public treasury, and it is to be feared the city is greatly in debt. You have neither an office for your magistrate, nor any other public edifice. You are without a single police officer or watchman, and have not the means of confining a prisoner for an hour; neither have you a place to shelter, while living, sick and unfortunate strangers who may be cast upon our shores, or to bury them when dead. Public improvements are unknown in San Francisco. In short, you are without a single requisite necessary for the promotion of prosperity, for the protection of property, or for the maintenance of order." [1]

The change from Mexican to American institutions brought about by the first city charter, effected no permanent improvement in the city's government. Except for an occasional attempt at reform, conditions in fact grew worse instead of better. Elections became a farce. Contractors and officials grew rich at public expense. Criminals caught red-handed were almost never convicted. The whole machinery of law enforcement and the right of the

[1] Quoted in Williams, *The vigilance committee of 1851*.

city's inhabitants to be secure in their persons and property were surrendered to the worst element of the population. Lawyers, politicians, shrewd business men, with much to gain from the control of city government, furnished the leadership for this evil domination; and under them were petty grafters, lawless bullies, and criminals of every kind.

So long as the city remained under such control it was utterly impossible to bring men to justice in the ordinary courts of law. The statement of a recent author that between 1849 and 1856 one thousand murders were committed, with only a single legal conviction, will scarcely be challenged by those conversant with the times. Yet it is obvious that a community essentially Anglo-Saxon will not tolerate such conditions beyond a certain point. The first outburst of public opinion, which amounted to something more than talk, came in July, 1849, and resulted in the overthrow of a lawless group known as the Hounds or Regulators—a semi-political organization whose activities bore an indistinguishable resemblance to robbery, especially when applied to inoffensive foreigners. A particularly brutal attack one Sunday afternoon, upon the settlement known as Little Chile, led the better element in San Francisco to unite for the suppression of the organization. The leaders of the Hounds were accordingly seized, tried by a citizen's court, and driven from the community. The rest of the gang never again attempted to reorganize.

It was not until 1851, however, that the first of the actual Vigilance Committees came into being. Lawlessness had been on the increase for months, expressing itself not only in robbery and murder, but also (or at least so it was suspected), in starting the great fires which swept the city from time to time. Arrests of even the most notorious criminals were seldom made and never accompanied by conviction. At last, with a sound common sense that placed the welfare of society above the sanctity of unenforced law, some two hundred of the best citizens effected an organization, known as the Committee of Vigilance, to rid the city of criminals and assist in the enforcement of law. Sam Bran-



nan, former leader of a Mormon contingent that came to California in the ship *Brooklyn*, was elected president, and Isaac Bluxome, Jr., secretary of the organization. A few of the many other influential members were William T. Coleman, James King of William, Selin and Frederick Woodworth, and Colonel J. D. Stevenson of the New York Volunteers. A constitution was adopted on June 9th, and the Vigilance Committee entered upon its difficult and dangerous task. It should be borne in mind that this Committee, even though self-constituted, was not a mob, but a carefully organized body of respectable men who openly avowed responsibility for what they did, and acted only after careful investigation of each case.

Until its work was accomplished, some of the Committee constantly remained on duty. The rest could be summoned at any time day or night by the tolling of the Monumental Engine Company's bell. Beginning with the execution of John Jenkins, an Australian ex-convict of evil notoriety who was caught while attempting a daylight robbery, the Committee continued its careful, methodical work, making arrests with its own police, holding trials under an established procedure, placarding the city with warnings for the criminal classes to leave, and watching incoming ships to prevent the landing of desperate characters, until, for a time at least, San Francisco could boast a law-abiding population. In this first purification of the body politic, ninety-one persons were taken into custody. Of these,

> "the Committee hanged four; whipped one; deported fourteen under direct supervision; ordered fourteen more to leave California at their own expense . . . ; delivered fifteen to the authorities for legal trial; and discharged forty-one."

The good accomplished by the first Vigilance Committee could be made permanent, however, only by continued interest in the city's welfare on the part of its better citizens. This, unfortunately, was not forthcoming; for like too many reform movements, that of 1851 was merely a spasmodic outburst of indignation instead of a sustained effort at civic

improvement. So, almost as soon as conditions became endurable, the good people of San Francisco turned again to their own affairs; and the city's control slipped back into the hands of evil men.

Lawlessness once more became the order of the day. The criminal class, augmented by the hard times of 1854 and '55, began a reign of robbery and murder such as the community had not known even in the worst days of 1851. More than ever, the law was made a mockery by corrupt or inefficient officials and dishonest lawyers; and thoughtful men despaired of finding in it any relief from the conditions with which they found themselves surrounded. The vicious circle was rendered complete by a union of wealth and respectability, in the person of certain business and financial leaders who needed to control municipal elections and the city's treasury, with the rowdy element. Altogether, therefore, the state of San Francisco in 1856 was worse than in 1851, and drastic measures were again required to bring about a restora- of law and order.

Public opinion was quickened to this new task by the death of James King of William. This man's character, like his name, had about it a certain individuality that set him apart from his companions; and near the close of his career, especially, made him a sort of gadfly in San Francisco to arouse the city from its moral apathy. John Randolph of Roanoke occupied a place no more unique in the Senate of the United States than James King of William held in the San Francisco of the middle fifties.

King began his California career in the Sierras. Afterwards he came to San Francisco, where he established a private bank, and later entered the employ of Adams and Company. The failure of this house thrust him into the editorial profession, and on October 8, 1855, he issued the first number of the *Daily Evening Bulletin*. Almost immediately this paper set the city by the ears. With a directness, which must have delighted the heart of a society still very much in the pioneer stage, King attacked those whom he considered guilty of corrupting the city's morals



or of defrauding the people through political power. He dealt in personalities rather than in general charges, and published the names of offenders with a boldness that made the victims of graft and crooked politics rejoice and take heart. Palmer, Cook and Company, whom he called the "Uriah Heaps of San Francisco bankers," and many other epithets no less complimentary, furnished King his first target. But his tastes were catholic, and evil doers great and small soon took their places in the *Bulletin's* gallery of rogues beside the arch enemies to all good society—Palmer, Cook and Company.

King's attacks did not of course immediately dethrone vice; but he gradually taught the people where the sources of corruption lay, and steadily developed a strong undercurrent of public opinion against the prevalent abuses. The shooting of William Richardson, a United States Marshal, by a notorious gambler named Charles Cora, who escaped the consequences of his act through a split jury, nearly precipitated a mob uprising in the early part of 1856.[2] But it was not until the following May that the cold-blooded murder of James King himself, by a detestable politician named Casey, brought back the old Vigilante days of 1851 and restored to the city its self-respect.

King was shot about five o'clock on the evening of May 14th as he was walking homeward from the office of the *Bulletin*. Casey immediately gave himself up to his friends at the police station, where he thought he would be secure. But the tolling of the old Monumental Fire bell brought together so great a crowd that the assassin's confederates thought it best to move him to the county jail for safe keeping. Here, protected by a large force of armed deputies and a considerable body of militia, he was temporarily safe; but the city was aroused to too high a pitch to quiet down. Matters, indeed, had come to such a pass that as Dempster, one of the advocates of a new Vigilance Committee, truly said in his appeal to the better class of citizens, "we must either have vigilance with order or a mob with anarchy."

[2] Cora was known to have killed at least six men besides Richardson.



Members of the Committee of 1851, led by one of its active members, W. T. Coleman, served as a nucleus for the new organization. The old Know-Nothing hall at 105½ Sacramento Street was used as temporary headquarters, and notices in the newspapers announced the reassembling of the Committee. Before nightfall a thorough, swiftly working organization had been perfected, hundreds of persons had been enrolled, sworn to an oath of secrecy, and given a number by which they were henceforth to be designated instead of by name. Arms were later provided in sufficient number to equip some two thousand men.

The volunteers were organized into regular military companies, each with its own officers, but the actual direction of affairs rested with a Central Executive Committee of thirty-three members. The purpose of the organization can best be expressed in the Committee's language:

> "We do bind ourselves," read their declaration, "to perform every just and lawful act for the maintenance of law and order, and to sustain the laws when faithfully and properly administered, but we are determined that no thief, burglar, assassin, ballot stuffer, or other disturber of the peace shall escape punishment either by quibbles of the law, the carelessness or the corruption of the police, or a laxity of those who pretend to administer justice."

To sum up in a single sentence one of the most dramatic periods of all San Francisco's stirring career, one may simply say that the Vigilantes of 1856 succeeded in carrying out the foregoing resolution. Upon the day of James King's funeral, after a fair, though non-technical trial, they hanged Casey and Cora from the windows of the headquarters' building, and later executed two other rascals of similar kidney. Their chief work, however, lay in clearing the city of undesirables, both prominent and obscure, by means of warnings and deportations, and in putting the fear of God into the hearts of the lawless characters who remained.

This process of regeneration was not accepted in a spirit of meekness by the victims, nor wholly unopposed by the regularly constituted authorities. A counter-movement,



headed by so-called Law and Order men, sought and secured the aid of Governor J. Neely Johnson and the state militia against the Vigilantes, and even the President of the United State was requested to use federal troops to put down the "insurrection." W. T. Sherman, of later Civil War fame, was then engaged in banking in San Francisco and for a time led the anti-Vigilante party. Associated with him were General Volney Howard, Judge Terry of the State Supreme Court (who afterwards nearly forfeited his own neck by stabbing a member of the Committee named Hopkins), and a number of other citizens equally well known.

Twice, at least, civil war seemed inevitable between the state authorities, backed by the Law and Order party, and the Vigilance supporters, but fortunately this catastrophe was averted. The city, however, for some months was like an armed camp. The Vigilantes had fully 9,000 members, all of whom were regularly drilled and organized into infantry, cavalry, and artillery units. The Committee's permanent headquarters on Sansome Street, in expectation of a siege, had been turned into a well defended fort known as Fort Gunnybags, from the sacks of earth with which it was protected. Some thirty cannon, ranging from six to thirty-two pounders, were in the hands of the organization, besides large stores of ammunition and thousands of muskets. Under such circumstances, suppression of the movement whether by state or federal troops, would have been a very bloody and costly business, and luckily it was not attempted.

By a singular coincidence, the Committee of 1856 hanged the exact number of criminals that the Committee of 1851 had hanged.

"But the committee did not stop there," says Mary Floyd Williams, "it laid its hands upon an incriminating ballot-box that was still stuffed with forged ballots; it obtained confessions from the ward heelers who had done the bidding of the powerful and efficient bosses; then it announced its intention of cleansing the city from the plague of political corruption. It sent into exile over a score of the most valuable members of the machine."

Fortunately, as soon as the work in hand was done, the leaders of the Committee disbanded its followers, even though the organization was then at the height of its power, and thus saved the movement from becoming the tool of men eager to use it for selfish or partisan ends. Those who created it had shouldered a grave responsibility and taken a great risk. Only the utter demoralization of government and social conditions could have justified such a step. But for many years thereafter the salutary influence of the committee's work was felt in the city's political and social life, and few today will deny that San Francisco profited from this over-riding of law to save law.

The chief authority for the Vigilance movements is Mary Floyd Williams. Her *Papers of the San Francisco committee of vigilance of 1851* was issued as vol. IV of the *Publications of the Academy of Pacific Coast History* (University of California Press). And her *History of the San Francisco committee of vigilance of 1851* appeared as vol. XII in the University of California *Publications in History*, (Berkeley, 1921). These publications were not issued in time to be listed in Chapman's, *Literature of California history.*



CHAPTER XXI

THE QUEEN OF THE COW COUNTIES

WHILE Northern California was rejoicing in the prodigal riches of the Sierras and establishing a commercial and financial supremacy destined to last long after the close of the gold excitement, the southern part of the state found itself almost entirely cut off from any share in the newly discovered wealth. There was, it is true, a material increase of population in the southern counties, due in part to the immigration over the southern routes (much of which, though originally bound for the Sierras, actually got no farther than San Diego or Los Angeles), and to a considerable back drift from the mines. The southern merchants also enjoyed a season of prosperity, so long as the overland caravans had to be supplied with food and other necessaries for the journey northward. But only in these, or similar indirect ways, did the south profit from the golden wealth with which the north was enriched.

When the first excitement of the gold rush died out, the people of the coast counties, accordingly, turned their attention more and more to the industry which had been the mainstay of California's economic life from the beginning of Spanish occupation; and for more than a decade longer, cattle-raising remained almost the sole industry of Southern California. From Monterey to San Diego, indeed, the population was so thoroughly devoted to this distinctive business, that the counties were derisively dubbed the "cow counties" by the commercial and mining communities of the more prosperous north.

Chief of these "cow counties" was Los Angeles, whose ranges alone, according to one authority, supported over 100,000 cattle in 1854. Next came Santa Barbara, with

approximately 50,000 head, and a very lordly group of cattle barons, whose control of that county's politics and business was complete. Monterey had nearly as many cattle as Santa Barbara. San Bernardino boasted close to 30,000 head; and San Luis Obispo claimed perhaps half that number.

The maintenance of this industry required the same large land holdings that had characterized the old days of Spanish-Mexican control. The methods of raising cattle were still much the same, and the range had to supply feed through all the seasons, without assistance from granary or haystack. In the south, as in every other section of the state, land titles were thrown into confusion by the transition from Mexican to American control, and the adjudication of claims by the Land Commissioners and the courts left many of the original holders with only a scant remnant of a once princely heritage. In these proceedings so much of the land went as lawyer's fees, that as early as 1852 the Los Angeles *Star* estimated that one tenth of the disputed holdings had been paid out in defense of the possessors' titles.

One of the most serious causes of these disputed titles, and of the endless boundary litigation that characterized the decade of the fifties, was the undefined limits of the land grants under the old Spanish-Mexican régime. A typical case of this kind is cited by J. M. Guinn.

"As an example of indefinite boundary lines," he says, "take those of La Habra rancho, formerly in Los Angeles, but now in Orange County; and these are not the worst that might be found in the records.

'Commencing at the *camino viejo* (old road) and running in a right line 550 *varas*, more or less distant from a small corral of tuna plants, which plants were taken as a landmark, thence in a direction west by south running along the *camino viejo* 18,200 *varas* to a point of small hills, at which place was fixed as a landmark the head of a steer; from thence east by north passing a *cuchillo* (waste land) 11,000 *varas*, terminating at the right line of the small corral of tunas aforesaid, the point of beginning.'

In the course of time the camino viejo was made to take a shorter cut across the valley, the corral of tunas disappeared,



a coyote or some other beast carried away the steer's head, the three oaks were cut down and carted away for fire-wood, the small stone was lost, the *cuch llo* was reclaimed from the desert, and the La Habra was left without landmarks or boundary lines. The land-marks lost, the owners of the adjoining ranchos, if so inclined, could crowd them over on to the La Habra; or its owner in the same way, could increase the area of his possessions, and the expanding process in all probability would result in costly litigation."

Yet despite squatters, litigation, and mortgage foreclosures, some of the native families succeeded in retaining their far stretching leagues of grazing land, upon which still roamed vast herds of long horned, slim bodied cattle. Among the American rancheros, too, were a number of those early immigrants who came to Southern California in the thirties or early forties and established a friendship and close identity of interests with the Californians.

Thus, for several years after conditions in Northern California had been completely revolutionized by the gold discovery and all the changes the "Great Migration" entailed, life in the south retained much of its pastoral, unhurried character, partaking more of the characteristics of the native epoch than of the excitement, stir, and manifold business activities of the north.

The large ranches, however, whether of Californian or American ownership, were not looked upon with favor by the settlers who came to Southern California to acquire land for agricultural purposes. Conflicts between squatters and rancheros were not at all uncommon, and on more than one occasion whole communities of the new settlers banded themselves together to resist dispossession. Paragraphs similar to the following appeared frequently in newspapers of the time, showing the inevitable conflict of interests between the newly arrived Americans and the old time land holders. This particular notice was dated at El Monte, December 4, 1854. It read as follows:

"We, the undersigned citizens and residents of the San Francisquito ranch do hereby agree to protect each other in our present claim lines until there is a final decision by the courts of the United

States either for or against it, and that we will not allow Mr. Dalton or any other man to sell the land so claimed or intrude upon said lines in any way until such decision is made."

Other difficulties, beside those presented by the squatters and small farmers, kept the cattle barons from finding life altogether monotonous. The demand for beef in the mines and by the newly arrived immigrants at first furnished a highly profitable market for the southern cattle. But this very demand, with the ensuing high prices, stimulated competition from an unexpected quarter. Large droves of cattle and sheep soon made their appearance in California from the ranges of Sonora, Chihuahua and New Mexico. And though such an overland "drive" at best required weeks of time and not infrequently resulted in heavy losses from flood, starvation, or Indian attack (the last sometimes, indeed, destroying the entire enterprise, men and animals alike), yet whenever the California market promised a satisfactory price in those early years, sheep and cattle from beyond the Colorado sooner or later reached the coast.

In 1855 this form of competition, together with the large increase of Southern California herds due to several satisfactory rainy seasons, threw the industry into a severe depression. Values fell some seventy-five per cent, until prime cattle could be bought for four or five dollars a head. But within the next year or two prices again reached normal levels, and a revival of the business brought the herds back to normal size.

Yet the cattle industry, even when most prosperous, was not an unmixed blessing for the southern part of the state. So long as the business showed a profit, the owners of the large ranches were in no hurry to break up their holdings into small ranches for the benefit of settlers. Other forms of agriculture were accordingly discouraged and the increase of population retarded. Fortunately, before these evils had reached serious proportions, a trick of nature destroyed the supremacy of the cattle barons and forced a subdivision of many of the largest ranges.

A severe drought in 1856, following the low prices of the



preceding year, caused a good deal of temporary discomfort to the cattle owners, and many of them lost a considerable percentage of their herds. But these losses were trifling compared to those which occurred in the early sixties. The season of 1860-61 was unusually dry. Cattle died by the hundreds for lack of grass and water; and the owners, anxious to save as much as possible from the wreckage, flooded the markets with such half starved animals as they were able to drive to the cities. The price of beef dropped to four, three, and even two cents a pound in the shops; and on many of the ranches the cattle were killed for what their hides, horns, and bones alone would bring.

This severe drought, which not only destroyed many animals but also left large numbers too weak and emaciated to withstand an unfavorable winter, was followed by one of the most prolonged rains the state has ever known. Beginning on December 24, 1861, the storm continued almost without interruption for nearly a month. So rarely was the sun visible during that time that the *Star* published the following bit of interesting news,

> "A Phenomenon—On Tuesday last the sun made its appearance. The phenomenon lasted several minutes and was witnessed by a great number of persons."

The floods which resulted from this storm drowned hundreds of cattle in the lowlands. But the damage was much more than offset by the benefit received by the ranges and underground sources of water supply. During the two succeeding seasons the cattle found an abundance of grass, and the losses suffered in the preceding years were almost forgotten. Then came the great disaster—the drought of 1864.

The fall of 1863 was unusually dry; and even the winter months, during which California normally receives her chief rainfall, brought no relief. Day after day went by with cloudless skies, and the grass failed to sprout from the famished earth. The springs and water holes dried up, and the great ranges were eaten bare of every kind of feed.

"The loss of cattle was fearful," says the historian of early Southern California in speaking of this drought. "The plains were strewn with their carcasses. In marshy places and around the *cienegas*, where there was a vestige of green, the ground was covered with their skeletons, and the traveler for years afterward was often startled by coming suddenly on a veritable Golgotha—a place of skulls—the long horns standing out in defiant attitude, as if protecting the fleshless bones. It is said that 30,000 head of cattle died on the Stearn's Ranchos alone. The great drought of 1863–4 put an end to cattle raising as the distinctive industry of Southern California."

The Sacramento *Union* estimated that from one half to three fourths of the cattle in Los Angeles County died of starvation in this great drought. The *News* stated that 5,000 head had sold in Santa Barbara for 37½ cents apiece. Only one rancher held a *rodeo* in all Los Angeles county during that disastrous season. Range lands fell so low in value that some of the southern counties assessed them at ten cents an acre—the same valuation that was placed on each individual grape vine in the wine vineyards.

The cattle industry could not survive this disaster. Many of the ranchers, who had borrowed money at the usurious rates then in vogue, were forced to give up their holdings; and the new owners found it more profitable and less risky to divide the ranges into small ranches and sell them in this fashion to the ever increasing number of settlers, than to attempt to maintain the business of cattle raising in the old way. So, while the drought of 1864 brought loss and in many cases ruin, and changed the whole economic life of Southern California, it was after all a blessing in disguise; for it led to those diversified and highly productive forms of agriculture which have so long furnished the basis of Southern California's prosperity, and determined her whole mode of life.

In the fifties, however, outside of the cattle industry, the agricultural productions of Southern California were decidedly limited. Grain was grown in considerable quantities in nearly all of the southern counties, and some flour was



ground in primitive mills for local consumption. In a small way there was likewise some production of vegetables and of the commoner varieties of deciduous fruits for commercial purposes. A few seedling oranges were also shipped north from the trees planted by William Wolfskill and the other pioneers in the citrus industry.

By way of contrast to this insignificant production of deciduous and citrus fruits, however, the vineyards of the south were already yielding very heavily. By 1860 a million pounds of fresh grapes packed in saw dust were being shipped annually from San Pedro. In addition, a considerable quantity of wine was manufactured each season in southern wineries. After supplying the local demand, much of this was sent north to San Francisco and the mines.

Manufacturing was almost non-existent. A little lumber was sawed in the San Bernardino mountains; but most of that required for building purposes was brought down from the north. And even in those early days, the annual importations were heavy enough to make San Pedro one of the largest lumber ports along the coast.

The lack of a customshouse at San Pedro, however, for some time seriously interfered with the prosperity of Southern California, and increased enormously the cost of all goods imported from other countries. Such imports, under the circumstances, had first to be landed at San Francisco and were then brought down to the southern port. The hardships imposed by this requirement were strikingly shown in a memorial from the merchants of Los Angeles in 1850, asking Congress to establish a customshouse at San Pedro. Part of the memorial read as follows:

"The conditions of the country in which your memorialists reside are peculiar and hence results a marked singularity in the state of its trade. Its proximity to the mining regions has caused it to be substantially denuded of its laboring population and hence although strikingly agricultural in its natural features it has for the last two years been dependent on a foreign supply for not only the greater proportion of its bread stuffs but for even the coarser articles such as peas, beans, oats, barley, etc. These are brought

usually from some of the South American ports, taken to San Francisco and thence reshipped to San Pedro. It thus appears that not only are the people of this region compelled to obtain the more costly fabrics of manufactures at another port but even articles of the most common consumption, at what additional cost the following facts will testify.

The freight alone from San Francisco to San Pedro for the last two years has never been less than twice the amount of what is charged for conveying the same articles from New York to San Francisco. The expenses upon a cargo of flour for sending it from the warehouse in San Francisco to San Pedro have been as high as ten dollars and twenty-five cents per barrel and have never been less than five dollars and seventy-five cents. One of your memorialists has paid for the expenses of a single cargo of goods from San Francisco to San Pedro fourteen thousand dollars. In fine the average additional cost upon goods purchased at San Francisco is not less than 30 per cent upon their being landed at San Pedro."

Perhaps the most serious drawback to the material development of the south was its deplorable lack of money. Interest rates as high as five per cent a month failed to bring in sufficient capital to meet the demand, and under such a handicap economic progress was necessarily slow.[1] Twice, however, the hopes of the south were greatly stimulated by the excitement of nearby mining booms. In 1855 gold was discovered in considerable quantities on the Kern River. This at once attracted miners from the entire state and led to a rush of no mean proportions. The Southern California merchants were naturally jubilant over this event, in which they saw an opportunity of reaping some of the rich harvest which their San Francisco, Stockton, and Sacramento rivals had previously monopolized.

The Los Angeles papers played the boom up for all it was worth, and perhaps for a little more. The *Southern Californian* of February 8, 1855, for example, contained this paragraph:

"The road from our valley is literally thronged with people on their way to the mines. Every description of vehicle and animal

[1] Harris Newmark, who came to Los Angeles in 1853 and died there in 1916, states that interest rates of from 2% to 12½% a week were not unknown.



has been brought into requisition to take the exultant seekers after wealth to the goal of their hopes. Immense ten-mule wagons strung out one after another; long trains of pack mules and men mounted and on foot, with picks and shovels; boarding-house keepers with their tents; merchants with their stocks of miners' necessaries, and gamblers with their papers are constantly leaving for the Kern River mines. . . . The opening of these mines has been a Godsend to all of us, as the business of the entire country was on the point of taking to a tree. The great scarcity of money is seen in the present exorbitant rates of interest which it commands; 8, 10, and even 15 per cent a month is freely paid and the supply even at these rates is too meager to meet the demands."

A month later the same editor wrote,

"Stop the Press! Glorious News from Kern River! Bring out the Big Guns! There are a thousand gulches rich with gold and room for ten thousand miners. Miners average $50 a day. One man with his own hands took out $160 in a day. Five men in ten days took out $4,500."

The Kern River excitement was short lived, and it was not until 1860 that a new rush, but on a much smaller scale, again swelled the hopes of the Los Angeles merchants. This was the result of the opening of mines in Bear and Holcomb valleys back of the Mormon settlements at San Bernardino. A thousand persons were said to have been on the ground at one time during this rush, but the deposits were soon exhausted and the boom collapsed.

But if the mines proved a disappointment and the South remained far behind the North in population and wealth, she at least knew the value of publicity; and even before the state was five years old, Los Angeles County had acquired a reputation and a name, and incidentally possessed a group of citizens who were not at all backward in proclaiming the greatness of the section in which they lived.

"The Queen of the Cow Counties bangs all creation in her productions," one of the Los Angeles editors wrote. "Whether it be shocking murders, or big beets, jail demolishers, expert horse thieves, lynch justices, fat beeves, swimming horses, expounders



of new religions, tall corn, mammoth potatoes, ponderous cabbages, defunct Indians, secret societies, bright skies, mammoth pumpkins, Shanghai chickens, grizzlies, coyotes, dogs, smart men, office seekers, coal holers, scrip or fights . . . she stands out in bold relief, challenging competition."

The city which gave its name to this marvellous "Queen of the Cow Counties," was little removed during the first decade of the state's history from the primitive appearance and manner of life that it had known under Mexican rule. Its houses were still chiefly of the familiar adobe type, their flat roofs covered with asphalt from the nearby brea pits on what is now the Hancock Banning ranch. The general appearance of these early Los Angeles homes has fortunately been left us in minute detail by one of the city's pioneers.

"Most of the houses were built of adobe, or mud mixed with straw and dried for months in the sun;" wrote Harris Newmark. "The composition was of such a nature that, unless protected by roofs and verandas, the mud would slowly wash away. The walls, however, also requiring months in which to dry, were generally three or four feet thick; and to this as well as to the nature of the material may be attributed the fact that the houses in the summer season were cool and comfortable, while in winter they were warm and cheerful. They were usually rectangular in shape, and were invariably provided with *patios* and corridors. There was no such thing as a basement under a house, and floors were frequently earthen. Conventionality prescribed no limit as to the number of rooms, an adobe frequently having a sitting-room, a dining-room, a kitchen and as many bed-rooms as were required; but there were few, if any, "frills" for the mere sake of style.

Most adobes were but one story in height, although there were a few two-story houses; and it is my recollection that, in such cases, the second story was reached from the outside. Everything about such an abode was emblematic of hospitality: the doors, heavy and often apparently homemade, were wide, and the windows were deep. In private houses, the doors were locked with a key; but in some of the stores, they were fastened with a bolt fitted into iron receptacles on either side. The windows, swinging on hinges, opened inward and were locked in the center. There were few curtains or blinds; wooden shutters, an inch thick, also fastening



in the center, being generally used instead. If there were such conveniences as hearths and fireplaces, I cannot recollect them, although I think that here and there the *brasero*, or pan and hot coals, was still employed. There were no chimneys, and the smoke, as from the kitchen stove, escaped through the regular stacks leading out through a pane in the window or a hole in the wall. The porches, also spoken of as verandas, and rather wide, were supported by equidistant posts; and when an abode had two stories, the veranda was also double-storied. Few if any vines grew around these verandas in early days, largely because of the high cost of water. For the same reason, there were almost no gardens."

Everything in the town was primitive—society, business, and government. The chief amusements were balls, bull fights, gambling, and horse races.[2] A "Hop" at the Bella Union Hotel, which stood on Main Street above Commercial, and served as the center of social gayety, was thus described by the local editor:

"A large assemblage of elegant ladies, good music, choice refreshments, gay gents—all that contributes to a merry meeting was there, and it was fully enjoyed."

On a similar occasion, at the home of Don Abel Stearns, the enjoyment was not quite so unalloyed; for certain unbidden guests, apparently annoyed at their failure to receive an invitation, surrounded Don Abel's residence and fired upon the dancers. A pitched battle then ensued, in which two men were killed and two seriously wounded. The occurrence called forth the following curiously worded comment in the next morning's *Star*:

"Men hack one another in pieces with pistols and other cutlery as if God's image were of no more worth than the life of one of the two or three thousand dogs that prowl about our streets."

Of the primitiveness of the courts and city government of that time there is humorous and ample evidence. Probably no better illustration can be given, however, than a

[2] Theatrical performances were later added to the list. These for the most part were given by companies brought down from San Francisco.

municipal ordinance enacted March 8, 1852, when Manuel Requena was President of the Common Council and B. D. Wilson was Mayor. It read as follows:

"All persons who may find it necessary to wash articles of any kind near the habitable portions of the city, will do it in the water canal that runs from the little river, but will be careful to place their board or washer on the outer edge of the canal by which means, although they use the water, yet the washings from the dirty articles are not permitted under any pretense to again mix with the water intended for drinking purposes.

The infraction of this ordinance will subject the delinquent to a fine, which shall not pass three dollars, at the discretion of the Mayor."

The population of Los Angeles was composed mainly of three races—Indians, Mexicans, and Americans. But the lines of social cleavage did not follow this racial division. The better class Americans and the wealthier Mexican families were closely associated in control of the city's political, business, and social life. The poorer Mexicans and a rough American element came next in the scale; while lowest of all were the Indian laborers.

Gambling dens and saloons operated without restraint, and neither San Francisco nor the worst of the mining camps furnished a more fertile field for vice than Los Angeles. A short street, leading from the Plaza to Aliso Street, and known to fame as Calle de Los Negros, or Nigger Alley, constituted the center of the city's wickedness. The only houses on it were brothels, saloons, and gambling halls. Murder and robbery were of almost nightly occurrence in this notoriously evil street; but no one ever thought of bringing the criminals to justice.

The Indian laborers came to town each Saturday night to spend their weeks' pay for liquor, or to lose it in any one of a number of equally unfruitful ways. How many of these poor unfortunates were murdered in the dives of Nigger Alley, or died in drunken brawls, or perished as a result of unbridled debauchery and poisoned drink cannot be known. But one has only to read the brief newspaper notices of



such deaths by violence and disease to understand the rapid disappearance of the Indian population from Los Angeles county. It is one of the tragic episodes in California history.

Crime and violence, however, were not confined to Nigger Alley, or indulged in solely at the expense of the hapless Indians. For the whole of Southern California, like the rest of the state, suffered seriously from lawlessness and disorder during these rough years of adjustment and changing conditions. "Human life at this period was about the cheapest thing in Los Angeles," says one who lived through this exciting period. Murder and robbery were the commonest of the major crimes and were due in large part to drunkenness, the universal practice of carrying arms, and the general unsettled state of society.

A definite criminal element, consisting chiefly of renegade Mexicans, also existed in Los Angeles, and after the first Vigilante movement in San Francisco this class received considerable reënforcement from the undesirables driven down out of the north. The law, unfortunately, did little to punish even the most notorious offenders, with the inevitable results that always follow such a failure. Crime increased at such an alarming rate that the people themselves undertook at last to administer justice with the hangman's noose.

The *Star* of September 27, 1851, printed this pointed interrogation,

> "During the past year no less than thirty-one murders have been committed in the city of Los Angeles and its vicinity and who today can name *one* instance in which a murderer has been punished?"

Two weeks later the same editor published the following indictment of the county officials:

> "The Deputy Sheriff has handed us a list of forty four homicides which have been committed in this county within the last fifteen months. . . . With very few exceptions, the perpetrators of the murders remain undiscovered. No person has been convicted, and if we are correctly informed, there has been but one

person tried for murder since the county was organized and the defendant was acquitted."

Prisoners confined in the city jail were nearly always able to escape with the aid of friends or through connivance of the guard. And in the case of at least one notorious criminal, a Mexican named Camarillo, the obliging jailer himself furnished the necessary tools with which the prisoner dug his way to freedom. Such conditions could not long be endured by the respectable citizens of the county. So, in 1852, when a prominent American named Bean was held up and murdered not far from San Gabriel, a Citizen's Committee took the punishment of the criminals into their own hands, and shortly afterward hanged three men suspected of the act. Later, the Committee expressed some regret when they discovered that one of these was innocent.

Many of the most atrocious crimes, during the first few years of the decade, were committed by regularly organized bands of desperadoes, most of which were Mexican in membership. One of the earliest of these bandit organizations was that led by Salomon Pico. Beginning its operations in 1851, this band for months terrorized the highways and smaller settlements within a radius of several hundred miles of Los Angeles. A little later, the famous Joaquin Murietta, of whom fiction and romance have made a sort of California Robin Hood, began to favor Southern California, as well as the Sierra mining camps, with his attentions.

So dangerous did this young Mexican and his cut-throat followers ultimately become, that the Committee on Military Affairs of the State Legislature voted a reward of $5,000 for his capture dead or alive. A minority of the committee, however, objected to the reward on the ground that it "might tempt unscrupulous and unprincipled men to palm off by purchased evidence the head of another for that of Joaquin, and thus defraud the state treasury." "Besides," the objection continued, "the danger of mistaking the identity of individuals in this country is very common."

The $5,000 reward, however, was at last offered; and



after an unparalleled career of daring and crime, covering almost the entire state, Murietta was run to earth and killed near the Tejon Pass by a small company of rangers under command of Captain Love. Murietta's head, and the hand of one of his chief lieutenants, called "Three Fingered Jack," were pickled in alcohol for purposes of identification, and afterwards auctioned off at a sheriff's sale for $36. The relics were eventually sold for $100 to a merchant known as Natches, who, "having sold a great many revolvers in the life time of the bandit for his destruction," now proposed to use the head as a drawing card in his show window.

The year 1854 was one of the worst in the criminal annals of the south. Los Angeles City alone, it is said, averaged one homicide a day for every day of the year. The citizens organized a company of rangers under command of A. W. Hope, and set to work to remedy the intolerable situation. As a result of their activities,

> "the gallows tree on Fort Hill bore gruesome fruit and the beams over corral gates were sometimes festooned with the hangman's noose. In less than a year twenty-two criminals, bandits, murderers and thieves, were hung in accordance with the law or without the law, whichever was most convenient, or most expeditious; and more than twice that number expatriated themselves for the country's good and their own."

Yet despite such heroic measures, the two years succeeding showed little, if any, improvement over 1854. The *Southern Californian* of March 7, 1855, carried this brief notice, "Last Sunday night was a brisk night for killing. Four men were shot and killed and several wounded in a shooting affray." Roads were unsafe because of regularly organized companies of highwaymen, who robbed and murdered almost at will. Chief of these was a band of Mexicans, fully a hundred in number, led by Juan Flores and Pancho Daniel. For more than a year this band operated almost unmolested.

In January, 1857, Sheriff James R. Barton of Los Angeles set out with a small *posse* to arrest certain of the Flores-

Daniel bandits, who had murdered a storekeeper at San Juan Capistrano. Though warned against an ambuscade, Barton and his men were trapped by the outlaws, and all but two of their number killed. This so aroused public sentiment that at least 200 men, including a large company of native Californians led by Andrés Pico, set out to break up the band. A number of the outlaws were killed outright. Some were captured and hanged on the spot. At least fifty-two others were lodged in the Los Angeles jail. Eleven of these, among whom was the twenty-two year old Juan Flores himself, were later executed. Pancho Daniel temporarily escaped the fate of his companions; but he was later arrested near San José and after some delays hanged by outraged citizens.

Another menace to life and property was the frequent Indian raids with which the southern ranches were threatened during the pioneer fifties. Crossing from the Colorado River, bands of these marauders slipped through the Cajon Pass and drove off the cattle and horses of the Mormons at San Bernardino. Settlers were frequently killed in these attacks, and more than once the little colony was in danger of being exterminated. Other bands of Pah-Utes made a specialty of stealing horses from the large ranches nearer Los Angeles. The stolen animals were driven back into the desert or mountainous regions east of the Sierras where they were killed and eaten, in keeping with the custom of the Horse-Thief Indians of the San Joaquin in earlier days.

A small tribe, inhabiting the mountains between Owen's Lake and the headwaters of the Kern, were especially active in these depredations, and won for themselves an evil reputation among the harassed ranchers. So severe became the losses from this source that in the month of March, 1853, Pío Pico alone lost 500 horses from his Santa Margarita ranch. *Posses* of course were organized to pursue the raiders, and in some cases a large number of the stolen animals were recovered. Pitched battles often occurred; and though the Indians generally suffered severely in these encounters, the pursuing party seldom came off unharmed.



In 1856 an ominous riot, commonly spoken of as the Great Mob, broke out in Los Angeles and threatened to develop into a serious race war between the turbulent Mexican element of the population and the American residents, who had organized a Vigilance, or Citizen's Committee to check the growth of crime. The trouble arose over the killing of a Mexican prisoner by a deputy constable named Jenkins. An angry crowd of Californians and Mexicans gathered on the hill behind the Plaza Church, and as the marshal was seeking to reconnoiter their position with a handful of men, shot him to death. The mob then marched to the Plaza, but broke up before the Citizen's Committee attempted to disperse them. The situation for a time, however, seemed so grave that the Americans in Los Angeles sent an appeal to El Monte for aid. Thirty-six men were sent by this little community as reënforcements. The city remained under guard for several days, during which time the most intense excitement prevailed.

The year 1856, described by the *Pacific Sentinel* as a "strange, curious, excitable, volcanic, hot, windy, dusty, thirsty, murdering, bloody, lynching, robbing, thieving season," and the early months of 1857, seem to have marked the climax of lawlessness and crime in Southern California. Yet the successful enforcement of law and the orderly functioning of the courts came but slowly; and as late as 1863, seven men, one of whom alone was known to have killed six persons, were lynched in Los Angeles during a single month. As was remarked elsewhere in this chapter, during these early years social conditions in Los Angeles were extremely primitive. In this they were typical of all Southern California.

Business life in the fifties was conducted in much the same leisurely fashion that had characterized the old days when Los Angeles was a Mexican pueblo. The city, with an abundance of land inherited from the original grant of the Spanish Crown, sought for two years with poor success to dispose of thirty-five acre tracts, in what is now the main business section, at the exorbitant price of a dollar an acre! The Plaza, as in the period of Spanish-Mexican rule, still

remained the center of civic activities. From it radiated most of the principal business and residential streets of the little pueblo. These were unpaved, poorly lighted at night, and filled with all manner of unsightly rubbish. The city's water supply came from the Los Angeles River in an open ditch, or *zanja*; and on its course through the town collected impurities of every kind.

There were no banks in the town, and much of the small change in circulation was of foreign origin. Merchants generally closed their shops during the slack hours of the day, either to go home for meals or to indulge in a friendly game of cards with some competitor.

"To provide a substitute for a table, in these games," wrote one of the contemporaries of that day, "the window sill of the thick adobe wall was used, the visitor seating himself on a box or barrel on the outside, while the host within at the window would make himself equally comfortable."

Much of the business of the merchants was done with the better class native families who lived on the ranches surrounding the pueblo. Travel was still largely on horseback or by the old solid wheel ox-carts known as *carretas*. The picturesque arrival of one of these lumbering vehicles is thus described by a pioneer chronicler:

"This sharp squeaking of the *carreta*, however, while penetrating and disagreeable in the extreme, served a purpose, after all, as the signal that a buyer was approaching town; for the vehicle was likely to have on board one or even two good-sized families of women and children, and the keenest expectation of our little business world was consequently aroused, bringing merchants and clerks to the front of their stores. A couple of oxen, by means of ropes attached to their horns, pulled the *carretas*, while the men accompanied their families on horseback; and as the roving oxen were inclined to leave the road, one of the riders (wielding a long, pointed stick) was kept busy moving from side to side, prodding the wandering animals and thus holding them to the highway. Following these *carretas*, there were always from twenty-five to fifty dogs, barking and howling as if mad.

"Some of the *carretas* had awnings and other tasteful trimmings,



and those who could afford it spent a great deal of money on saddles and bridles. Each *caballero* was supplied with a *reata* (sometimes locally misspelled *riata*) or leathern rope, one end of which was tied around the neck of the horse while the other—coiled and tied to the saddle when not in use—was held by the horseman when he went into a house or store; for hitching posts were unknown, with the natural result that there were many runaways. When necessary, the *reata* was lowered to the level of the ground, to accommodate passers-by. Riders were always provided with one or two pistols, to say nothing of the knife which was frequently a part of the armament; and I have seen even sabers suspended from the saddles."

With the exception of Los Angeles, there were few towns of any importance south of Monterey. San Luis Obispo and Santa Barbara were but little changed, either in population or in any other particular, from the days of the old California régime. San Diego, even with her remarkable natural harbor, grew but slowly. Aside from a premature attempt by William Heath Davis to move the town to its present site,[3] and occasional Indian attacks on nearby ranches there was little to record in the city's annals. The prospect of a Pacific Railroad, so often predicted and so long postponed, brought about momentary bursts of excitement; but otherwise business and life went on their unhurried and uneventful way.

Nearer Los Angeles, three new communities were established before 1860. The first of these was founded by a Mormon colony in 1851 on a tract of land not far from the Cajon Pass. The town, laid out somewhat like the City of Salt Lake, was divided into eight acre blocks, with open irrigating ditches running parallel with the streets. The settlement was called San Bernardino, and soon grew to be a thriving agricultural center. The town was also important because of the strategic position it occupied relative to the overland trade with Salt Lake.

[3] This was in 1850. At one time there were really *three* San Diegos—Old Town, Middle Town, and New Town. The last named, where Davis built his wharf and attempted to found a city, is the site of the modern San Diego.

About the same time that San Bernardino was founded, a company of Texans established themselves on the east bank of the San Gabriel River, some twelve miles from Los Angeles. The settlement was known as Monte or El Monte. It never grew to large size; but its inhabitants very early acquired an enviable reputation for success in agriculture, unanimous loyalty to the Democratic Party, and an enthusiastic readiness to hang suspected criminals.

In 1857 a German settlement known as Anaheim was established about twenty-five miles southeast of Los Angeles, on a large tract of land lying close to the Santa Anna River, from which the colony derived its water for irrigation.

"The colonists," says one writer, "were a curious mixture—two or three carpenters, four blacksmiths, three watchmakers, a brewer, an engraver, a shoemaker, a poet, a miller, a bookbinder, two or three merchants, a hatter, and a musician."

But in spite of this medley of professions, the colony flourished almost from the beginning; and for many years its name was almost a synonym for prosperity and industry throughout the south.



CHAPTER XXII

CALIFORNIA AND SONORA: THE DAY OF THE FILIBUSTER

THE annexation of California and New Mexico in 1848 represented only a partial realization of the territorial ambitions of American expansionists. During the negotiation of the Treaty of Guadalupe Hidalgo, a vigorous party had sought the acquisition of the whole of Mexico, and a somewhat more conservative group had urged the absorption of the states of Coahuila, Chihuahua, Sonora, and Lower California.[1] The American expansionists did not immediately abandon their ambitions with the ratification of the treaty. Rather, they looked upon the boundary fixed by that agreement as only a temporary stopping place in the southward progress of the United States. Manifest Destiny still called for the further extension of American democracy, American institutions, and American rule.

Conditions in Mexico after 1848 were also such as to invite interference from the outside. The central government was torn by frequent revolutions, chronically bankrupt, and on the verge of anarchy. So hopeless was the outlook that thoughtful American and European observers generally agreed that some form of foreign intervention could alone prevent the complete disintegration of the nation.[2]

Conditions in the frontier provinces of northern Mexico were especially the object of American concern during these years. Almost abandoned by the federal government, distracted by factional struggles for the control of local

[1] It is highly probable that only the political rivalries and the dispute over slavery, in which American politics were then involved, prevented the annexation of these four states.

[2] As an illustration of this attitude, Senator Houston of Texas proposed to the 34th Congress the establishment of a United States protectorate over Mexico. The object of this measure, as he said, "was not to increase our dominions but to improve our neighborhood."

offices, harassed and kept in constant dread by Indian forays, the inhabitants of these outlying states were ready for almost any change that promised security and peace. The extension of American control over the sparsely settled and harassed territory across the border was not the most illogical method of solving its many problems. The view of many Americans toward these Mexican border states was clearly set forth in 1848 by an American physician attached to Colonel Doniphan's expedition. In his *Memoir of a Tour*, Dr. Wislizenus wrote:

"The greatest part of this territory has never been occupied or even explored by the Mexicans, and the thin population in the settled parts of it proves that they never had put great value upon it. The greater inducements which the South of Mexico offered on account of mines, climate, commerce, etc., have concentrated there the seven or eight millions of inhabitants that compose the Mexican nation, allowing but a small portion of them for the northern provinces. One half of this northern territory may in fact be a desert, and entirely worthless for agriculture; but to a great commercial nation like the United States, with new States springing up on the Pacific, it will nevertheless be valuable for the new connections that it would open with the Pacific, for the great mineral resources of the country, and for its peculiar adaptation for stock-raising. Mexico itself would lose very little by the States composing this territory, as they always have been more a burden to it than a source of revenue. All the connection which heretofore has existed between Mexico and those States, was, that the general government taxed them as highly as they would submit to, which never was very great, and dragged them as far as possible into the revolutionary vortex in which the South of Mexico was constantly whirling; but it never afforded them any protection against hostile Indians; never stopped their internal strifes, or never promoted the spread of intellect or industry—in short, it heaped, instead of blessing, all the curses of the worst kind of government upon them.

"Policy, as well as humanity, demands, in my humble opinion, such an extension of the "area of freedom" for mankind. If deserts and mountain chains are wanted as the best barriers between States, this line affords both these advantages by the Bolson de Mapimi in the east, and the extensive Sierra Madre in the west.



"On the Gulf of California, the important harbor of Guaymas would fall above that line. What sort of communication between Guaymas and the Rio Grande might be considered the best, a closer exploration of the country must decide; but a railroad would most likely in the course of years connect the Rio Grande with the harbor, and give a new thoroughfare from the Atlantic to the Pacific, for commerce as well as for the emigration to California and Oregon. The distance from Laredo to Guaymas, in a straight line, is about 770 miles. The plan of such a railroad, even if the height of the Sierra Madre in the west would not allow it to be carried in a straight line to the Pacific, but from Chihuahua in a northwestern direction to the Gila, would therefore be less chimerical than the much talked of great western railroad from the Mississippi to the Columbia river; and if the above mentioned country should be attached to the United States, we may in less than ten years see such a project realized.

"This boundary line would at the same time allow an easy defence; proper military stations at the Rio Grande and near the Gulf of California, would secure the terminating points of that line; some fortifications erected in the mountain passes of the Sierra Madre, where but one main road connects the State of Chihuahua with the South of Mexico, would prevent invasions from that direction, and some smaller forts in the interior would be sufficient to check and control the wild Indians."

Thus, with a certain measure of public opinion in the United States favorable to further expansion at the expense of Mexico, and with the frontier provinces of that country almost defenceless and apparently ready for revolt, it is not to be wondered at that filibustering movements became the order of the day.

As might have been expected, the most important of these found their origin in California. Here the disturbed conditions of society furnished a fruitful soil for reckless undertakings of every kind; and men were ready for any enterprise in which lay the promise of profit and excitement. Because of its proximity, unusually rich mineral resources, and rumored antagonism to the central government, Sonora became the natural objective of the California filibusters.

It is to be supposed, also, that the leaders of these move-

ments saw a striking likeness in the case of Sonora to the situation presented by California in the early forties. Both territories were rich in undeveloped natural resources; both suffered from revolution and disturbed political conditions; both were neglected by the central government. It is true that Sonora always maintained a closer connection with Mexico City than did California; possessed a larger native population; and was less consistently disloyal. On the other hand, her inhabitants had suffered much more severely from Indian attacks, and were apparently almost as ready for some form of intervention in 1850 as the Californians were five years before. To conquer this state outright, or to plant American colonies along its frontier which in time might bring about a movement for independence, consequently became the ambition of more than one adventurous California leader.

The first expeditions to Sonora were not led by Americans, however, but by Frenchmen. There were many representatives of this nationality in California in the fifties. Some of these had been attracted to the coast by the prospects of the gold fields. Some came to take advantage of the commercial opportunities offered by the new state. Others had been driven over by the upheavals of French politics in the years succeeding the revolution of 1848. Among this large French element, naturally enough, were adventurers of many sorts. Not finding conditions in California altogether to their liking, a number of the more restless of these turned to Mexico as a field of larger opportunities.

The first Sonoran expedition of any importance was composed of about 150 French recruits under command of the Marquis Charles de Pindray. The latter has been described as a man of noble family, handsome, courageous, gifted with gigantic strength, and very much of a prodigal. As a matter of fact, however, it is doubtful if Pindray's expedition should be classified as a filibustering venture at all. He and his men seemingly had no ambition to stir up a revolt against Mexican sovereignty, but proposed merely to open the rich mining territory in what is now southern Arizona and



northern Sonora. In return for certain land and mineral concessions in this frontier area, they were under obligation to establish a number of semi-military colonies to defend the unfortunate inhabitants of Sonora from the devasting attacks of Apache and other Indian tribes.

The expedition reached Guaymas on December 26, 1851. Here they were greeted with the greatest enthusiasm by the Mexican inhabitants, and obtained considerable quantities of supplies and ammunition, as well as the promise of financial support, from the local authorities. At Arispe, one of the chief cities of the state, Pindray met the governor and other officials, who assured him of their heartiest co-operation in his undertaking.

The march from Arispe toward the northern frontier, however, was anything but a holiday affair. Privation and danger led to disagreement and insubordination. At last Pindray was taken sick in one of the little settlements of northern Sonora, and there either killed himself in a fit of despondency or died at the hands of one of his disgruntled followers. This misfortune ended the expedition. The dispirited survivors either straggled back to the sea coast, or found an opportunity to enlist in another expedition, also led by one of their countrymen, which shortly afterward made its appearance in Sonora.

This second French enterprise was of much greater magnitude than the Pindray undertaking. The leader of the expedition was an adventurous nobleman, small of stature, decayed in fortune, but full of courage and enthusiasm, known as Count Raousset-Boulbon. Whatever may have been Raousset's later intentions, this first expedition was apparently organized as a bona fide mining and colonizing scheme. Dillon, the French consul at San Francisco, was one of the original backers of the venture, and largely through his influence Raousset was led to lay his plans in person before the Mexican government.

In Mexico City, Raousset received a cordial reception from President Arista and also obtained the enthusiastic support of Levasseur, the French minister. Here he organ-

ized a company known as *La Restauradora*, and obtained for it a concession for the development of the mineral deposits lying south of the Gila River, in what was then northern Sonora. The important banking house of Jecker and Company agreed to finance the undertaking in return for 50% of the company's grant. Raousset, on his part, engaged to equip an expedition of 150 men, establish a defense against the Indians on the Sonora frontier, and open up the valuable mineral resources which the country was said to possess. President Arista and two leading officials of Sonora, named Aguilar and Cubillas, were also to share in the profits of the enterprise.

When Raousset returned to San Francisco he had no difficulty in securing the required number of volunteers for his company, and on June 1, 1852, landed at Guaymas with 260 men. Here, however, unforeseen difficulties awaited him. The British house of Baron, Forbes and Company were stirring up opposition to the plans of the *Compañia Restauradora* in order that they themselves might obtain the concessions which Raousset had secured from the Mexican government. The contest which ensued was simply the familiar story of two rival foreign companies in Mexico, each seeking to profit from a coveted concession by promised rewards to Mexican officials. In this struggle for political favoritism, the *Restauradora's* rivals succeeded in enlisting the support of the military governor of Sonora, General Blanco.

Under various pretexts, Blanco succeeded in delaying Raousset's advance to the interior; and when he finally gave permission for the expedition to proceed, it was only that he might still more seriously embarrass it before it reached the Arizona mines. The climax came in August, when the company was encamped on the Altar River in northern Sonora. Here Raousset received a message from Blanco which compelled him either to defy the governor's authority or to abandon the entire enterprise. In Blanco's communication the French commander was ordered to choose one of three courses: his men might renounce their French



citizenship and sign as Mexican soldiers under Blanco's command; they might obtain proper passports from the City of Mexico allowing them to enter the Arizona territory, but conferring upon them no right to denounce mineral properties; or they might reduce their number to fifty men, and under the direction of a Mexican leader proceed to carry out the plans of the *Restauradora*.

Blanco's orders were interpreted by Raousset as an unwarranted cancellation of the terms of the concession he had received direct from the central government. It was a question, then, whether he should obey a state official and sacrifice all he hoped to acquire for himself and his associates, or rely upon the authority of the federal administration and defy the local governor. The choice was not difficult, especially as Raousset was convinced that Blanco was acting in the interests of his English rivals. Up to this time the expedition had about it none of the ear marks of a filibustering enterprise; but from now on it began to assume the character of such a movement.

Raousset's next step was to appeal to the inhabitants of northern Sonora to join him against the Blanco government. Receiving some measure of support from the Apache-ridden districts in which he was encamped, he next prepared a flag for an independent state, and started to march against Blanco's headquarters at Hermosillo. The attack on this city, garrisoned by some 1200 men, was made by a beggarly force of 240 Frenchmen. As Raousset's command approached the town, the prefect sent a deputation offering a considerable sum of money if the French would retire without bringing on an engagement. Raousset's answer was slightly melodramatic. Holding his watch in hand, he replied, "It is now eight o'clock; in two hours I shall attack the city; at eleven o'clock I shall be master of it. Go tell this to your prefect." Due to Raousset's impetuous leadership and the savage enthusiasm of his followers, "half of whom were heroes, and half bandits," this pledge was almost literally fulfilled. A short, sharp skirmish drove the defenders out of their position and gave the city into Raousset's hands. His



loss was 17 killed and 23 wounded, against 200 killed and wounded among the Blanco forces.

The capture of Hermosillo marked the climax of Raousset's career. Seriously ill and weighted down by the responsibilities of an undertaking which had suddenly changed from a peaceful colonizing enterprise to a victorious military campaign, the French leader was in no position to press forward for the conquest of the state, if indeed at the time he had any actual ambition to carry out such a program. By an agreement with the new governor of Sonora, Gandara, Raousset agreed to evacuate Hermosillo, provided his men might retire unmolested to the sea coast. Once at Guaymas, most of the expedition were glad to return to San Francisco. Thither the leader himself sailed after some months of convalescence at Mazatlan.

Raousset, however, by no means abandoned his Sonora ambitions with the dissolution of this first expedition. His countrymen, Dillon and Levasseur, who had backed him in the Restauration enterprise, again urged him to go to the City of Mexico and secure the permission of the central government for the establishment of a French colony on the frontier. Santa Anna had succeeded to the presidency and was reported to be much in favor of such an enterprise. Accordingly, Raousset again made his appearance in the Mexican capital, and after some negotiations secured Santa Anna's consent to the establishment of a colony of 500 French citizens in northern Sonora, to serve as a barrier against the Indian forays. Before the details of the concession could be arranged, however, the Mexican dictator and the volatile Frenchman had a serious falling out, and Raousset returned to San Francisco with the brand of an outlaw fastened upon him. But in no sense discouraged by the hostility of the Mexican government, Raousset set about the organization of the Sonoran expedition. Though at first he met with very poor success, fate at last played directly into his hands. When prospects were most discouraging, the attack of William Walker upon Lower California aroused Santa Anna's apprehensions against the Amer-



ican advance into Sonora; and as the only means of offsetting this danger, the Mexican dictator fell back upon the plan of establishing a French colony on the frontier. To carry out this measure, Luis Del Valle, Mexican consul at San Francisco, was instructed by his government to enlist a maximum of 5,000 Frenchmen in California for the Sonora colony. These were to be sent down to Guaymas at public expense, and after a year's service would receive a grant of land from the Mexican government.

Del Valle carried his instructions to the French consul, Dillon, who in turn enlisted the support of Raousset. As a result of the combined efforts of the three, some 800 Frenchmen were enrolled for the enterprise. The British ship *Challenge* was chartered to transport the expedition down the coast; but before she could sail, certain United States officials at San Francisco had taken a hand in the game, libelled the *Challenge*, and indicted the Mexican consul for a violation of the neutrality laws. After some legal maneuvering, the *Challenge*, with her passenger list reduced by half, was allowed to depart.

Some weeks later, Raousset quietly sailed out of San Francisco with a handful of companions in a schooner of less than ten tons burden. After trying hardships, including shipwreck on the island of Santa Margarita, he at last reached Guaymas, only to find the most of his countrymen who had preceded him very lukewarm toward any attack against Mexican authority. Nor did Raousset's attempt to induce Yañes, the Mexican commander, to join with him in a revolt against Santa Anna, meet with any better success.

With a few of the French contingent, more venturesome or less sensible than the rest, Raousset next planned to drive the Mexican forces from the city; but a quixotic sense of modesty kept him from taking personal command of the attack. Less than 200 Frenchmen engaged in the affray, and most of them were badly demoralized at the first fire. All of Raousset's bravery and exhortations could not check the rout. The filibusters were scattered and many of them killed. The remainder took refuge at the French consulate,

where they laid down their arms when the Mexican commander pledged himself to spare their lives. Raousset himself was included in this pledge. A score of times during the engagement he had courted death; and only when his followers fled like frightened sheep, had he broken the blade of his sword in disgust, and followed the mob to the shelter of the consul's office.

Except in the case of Raousset, the Mexican commander kept his promise of immunity to the French prisoners. But due in part to the treachery of the French consul, Calvo, the unfortunate leader was excluded from the general amnesty and received the sentence of death at the hands of a military court. The execution took place at six o'clock on the morning of August 12, 1854. The bravery and composure of Raousset, who secured the special favor of facing his executioners unblindfolded, so unnerved the soldiers who composed the firing squad that their shots failed to reach a vital spot, and a second volley was required to complete the execution. With Raousset's death, the French ambitions in Sonora for a time came to an end.

Soon after Raousset's execution, an expedition, undisguisedly filibustering in its character, was set on foot against Sonora by way of Lower California. This was led by the redoubtable William Walker, in some respects the most inveterate filibuster the United States has yet produced. Walker was born in Nashville, Tennessee, the son of a Scotch banker. He received a very thorough university training and also spent some time in European travel. He later began his professional career as a physician; but soon took up the study of law, and afterwards turned to journalism as a more congenial occupation.

In 1849 Walker came to California, and for some time maintained a connection with the San Francisco *Herald*. In 1851 he went to Marysville where he formed a law partnership with Colonel Henry P. Watkins, the nephew of Henry Clay. While thus engaged, Walker and a few companions met at Auburn, California, and talked over a plan similar to that proposed by Raousset-Boulbon, of establish-



ing a colony on the frontiers of Sonora. One may reasonably conclude, however, that the political features of this enterprise were more attractive to the Marysville lawyer than the prospect of material gain. Two representatives were sent to Guaymas to obtain the necessary concession for the establishment of the colony, and perhaps to sound out the Sonora governor regarding a more ambitious plan of independence. But these agents accomplished nothing—first, because Raousset had already preëmpted the field; and second, because the San Francisco capitalists, who were backing the enterprise, withdrew their support on account of changed political conditions in the Mexican capital.

Not long after this fruitless mission, Walker resolved to go to Guaymas to spy out the land on his own account. At this time there was little about the future filibuster to mark him as a popular leader. He was a taciturn, reticent man, who would often "sit for an hour in company without opening his lips." As much as possible he kept himself apart from men and appeared indifferent to their opinions. Physically, too, he was poorly equipped to appeal to the popular imagination. He was below the average in height and weighed not much over a hundred pounds. A contemporary described him as

> "a small, red-haired, white-eyed man, freckled-face, slow of speech, very observant, rather visionary, but possessed of a species of perseverance which is most uncommon. His courage is unquestioned, and although one of the most modest men in his manners, he is as bold as a lion in his measures."

On his visit to Guaymas, Walker met with a suspicion bordering upon open hostility from the Mexican officials. Nor did his appearance greatly commend itself to their admiration. An American named Warren, who was there at the time, thus described his peculiar costume:

> "His head was surmounted by a huge white fur hat, whose long knap waved with the breeze, which, together with a very ill-made, short-waisted blue coat with gilt buttons, and a pair of grey, strapless pantaloons, made up the ensemble of as unprepossessing

looking a person as one would meet in a day's walk. I will leave you to imagine the figure he cut in Guaymas, with the thermometer at 100 degrees, when every one else was arrayed in white."

Before the close of Walker's stay at Guaymas, there was evidence of a more friendly attitude on the part of the Mexican governor; but Walker refused to meet his advances and returned to San Francisco, intent upon another plan of operations. This, in brief, involved an advance against Sonora by way of Lower California.

After considerable difficulties with United States government officials at San Francisco, Walker succeeded in putting to sea in the brig *Caroline*, having on board some forty-five men belonging to the First Independence Battalion, as the expedition was bravely called. The *Caroline* arrived at the harbor of La Paz, where Cortés had established his short lived colony more than three hundred years before, early in November, 1853. Here Walker's men effected a landing without opposition. They next proceeded to seize the governor, Espinoza, haul down the Mexican flag, and proclaim the Republic of Lower California.

After a brief stay at La Paz, the expedition embarked for a new field of conquest. Before quitting the harbor for good, however, a detachment of Walker's men engaged in a small skirmish with the La Paz citizens; and about the same time he seized another governor who had been sent from Mexico to succeed Espinoza.

After a brief stop at Cape San Lucas, the *Caroline* continued up the coast until she reached the harbor of Enseñada. Here Walker made his headquarters and proceeded to organize his new government. One of the first steps in this process was to issue the appended declaration, justifying his course of action to the American people.

"In declaring the Republic of Lower California free, Sovereign and Independent," wrote Walker, "I deem it proper to give the people of the United States the reasons for the course I have taken:

"The Mexican government has for a long time failed to perform its duties to the Province of Lower California. Cut off as the



territory was by the Treaty of Guadalupe Hidalgo from all direct communication with the rest of Mexico, the central authorities have manifested little or no interest in the affairs of the California peninsula. The geographical position of the Province is such as to make it entirely separate and distinct in its interests from the other portions of the Mexican Republic. But the moral and social ties which bound it to Mexico have been even weaker and more dissoluble than the physical. Hence to develop the resources of Lower California and to effect a proper social organization therein, it was necessary to make it independent.

"On such considerations have I and my companions in arms acted in the course we have pursued. And for the success of our enterprise we put our trust in Him who controls the destiny of nations, and guides them in the ways of progress and improvement.

WM. WALKER,
President of the Republic of Lower California."

The government which Walker established consisted of the following officials: William Walker, President; Frederick Emory, Secretary of State; John M. Jernagin, Secretary of War; Howard H. Snow, Secretary of the Navy; Charles H. Gilman, Captain of Battalion; and William P. Mann, Captain of the Navy.

While Walker was thus occupied in Lower California, his partner, Watkins, was busy organizing reënforcements in San Francisco. The brig *Anita* was chartered to carry the men down the coast; and in order to avoid detention by the authorities, some measure of secrecy was maintained in the preparations. On December 7th everything was in readiness and the actual work of embarkation began. It was carried out with more than usual dispatch, if the following account is to be relied upon:

"About half way down from Front Street a door was thrown open, and, as if by magic, drays and carts made their appearance. Files of men sprung out and passed quantities of powder from the shore, besides ammunition of all kinds. A detachment stood guard the while in utter silence and the movements were made with such celerity, that the observer could scarcely perceive how and where the articles made their appearance."

The arrival of the *Anita* at Ensenada brought Walker both relief and difficulties. The reënforcements were badly needed, for already Walker had engaged in a serious skirmish with the Mexican forces. But the *Anita* had scant supplies on board, and the problem of securing food was rendered all the more acute by the hundred additional soldiers who must now be fed. An attack upon a notorious Mexican bandit named Menendez enabled Walker to secure a considerable number of cattle; and the flesh of these, with a little corn, constituted the sole provisions of the company.

Necessity and choice alike now drove Walker to proceed with the real purpose of the expedition, namely, the invasion of Sonora. As a preliminary to the actual conquest, he proclaimed the establishment of a new government called the Republic of Sonora. Lower California and Sonora were the states of the new republic, and a flag with two stars was unfurled as its emblem. Walker announced himself the president of the republic, and Watkins became its vice-president.

The conquest of Sonora, however, proved much more difficult than the proclamation of the republic. Discontent and desertions seriously reduced the effectiveness of Walker's force. The activities of United States officials in California prevented the sending of badly needed reënforcements from that quarter. Supplies and provisions were almost exhausted; and the inhabitants of Lower California were becoming increasingly hostile to the American interlopers.

Walker planned to advance against Sonora by crossing the Peninsula of Lower California and then rounding the head of the Gulf. A more difficult and inhospitable route can scarcely be imagined.[3] Mountains, desert, and the broad waters of the Colorado, all alike offered formidable obsta-

[3] A. W. North, in his *Camp and Camino in Lower California*, states that the Indians of the district still recalled Walker's route as late as 1908. According to his account it ran "along the Colentura Arroya, swung around the northwest shoulder of the mighty sierra of San Pedro Martír and entered the Valle Trinidad." Thence it followed the ancient Indian trail "into the secret depths of the Arroyo Grande, across the desert, around the Sierra del Pintos, and down the Hardy River to the Colorado."



cles to the struggling handful of men who attempted the march. Worn out and in rags, the company reached the river early in April. In seeking to ford the Colorado, most of the cattle were drowned, thus leaving the invading army with almost no source of food. Even Walker, though now actually in Sonora, saw the hopelessness of further conquest. Half of his men deserted and straggled northward to Fort Yuma. The remnant turned back over the weary route they had come, and on April 17th reached the small town of San Vicente, where a garrison of twenty-five men had been left at the beginning of the Sonora campaign.

(This garrison had been destroyed by the bandit forces of Menendez; and the latter now began to threaten the reduced company under Walker with the same fate.) The filibusters therefore turned their dispirited steps toward the American border, and though constantly menaced by the irregular troops under Menendez, succeeded in reaching the safety of American soil without having to face a serious engagement. The border was crossed May 8, 1854, at a point close to the modern Mexican resort of Tia Juana. Walker's "army" at this time consisted of thirty-three men. They were sent north to San Francisco, where in June their leader was brought to trial for violation of the neutrality laws of the United States. After deliberating for eight minutes, the jury returned a verdict of not guilty!

(So far as Mexican territory was concerned, this ended Walker's career as a filibuster.) For a time he resumed his profession of journalism and also played an active part in California politics as a member of the Broderick wing of the Democratic party.[4] A year later, however, his dreams of empire again drove him to re-enter the dangerous calling in which he had served his apprenticeship in Lower California,

On May 4th, 1855, Walker once more sailed out of the Golden Gate bent on "great deeds and high emprise." His goal was the troubled Republic of Nicaragua. Here he was

[4] This was the anti-slavery wing of that party. The old time view that the filibustering expeditions against Mexican territory were for the purpose of extending slavery is untenable.

destined to meet with full tale of adventure, experience countless vicissitudes of fortune, and eventually realize to some extent the restless ambitions to which he had surrendered his career. Success, however, was only fleeting. On the morning of September 12, 1860, William Walker—*Freebooter*, Pirate, Soldier of Fortune, and International Outlaw, as he was variously called—was led out of the little Honduran town of Truxillo as a prisoner. Just beyond the town, in an angle of an abandoned fort, erect and unafraid, he was shot to death by a firing squad. Perhaps this was the fate Walker deserved. But one wonders what judgment history would have passed upon him if his dreams had become realities, even as one wonders what place Sam Houston would hold today if the Texas revolution had been a failure.

Following Walker's fiasco in Lower California, one other Californian sought to carry through the familiar plan of establishing an American colony in Sonora. The leader in the enterprise was Henry A. Crabb, one of Walker's former schoolmates in Nashville, who had came to the coast in 1849. Crabb soon won for himself a respected name in Northern California and was elected to a number of important political positions.

Through his marriage into a Spanish family, which had formerly owned large holdings in Sonora, Crabb became interested in the political and economic future of that harassed state.[5] In 1856 he organized a colonizing company and took some fifty persons from California into Sonora over the Los Angeles-Yuma trail. On this visit Crabb came in contact with Ignacio Pesquiera, the leader of one of the two rival political factions in the state. At that time Pesquiera was involved in a revolution against the local government, headed by Gandara, and sought to enlist Crabb's aid in the effort to unseat his rival.

Crabb was apparently won over by Pesquiera's representations (including a promise to seek Sonora's annexation to

[5] Crabb's wife was a member of the Ainsa family, claiming descent from Juan Bautista de Anza, the pioneer explorer from Sonora to California.



the United States), and returned to California with the idea of gathering together an expedition to carry out the undertaking. Early in 1857 he organized the Arizona Colonization Company, and enlisted nearly a hundred men in the enterprise. Many of these were gold seekers from the mines in Tuolumne County; and others were recruited in San Francisco. At least half a dozen were men of marked political prominence in the state.[6]

The expedition reached San Pedro on January 24th. They then marched overland to El Monte, where provisions, wagons and horses were secured, and a few additional recruits enlisted from among the reckless Texas settlers who made up the little community. Leaving El Monte, the company proceeded by way of San Gorgonio Pass and the Coachella Valley to Fort Yuma. Here the company remained until March. Crabb then led his men, by this time a fairly well-disciplined force, into the little Sonoran town of Sonoita. Here he learned with some surprise that the Mexican officials were preparing to resist his advance, and that his colonizing enterprise was sure to be attended with some difficulty.

The explanation of this unexpected Mexican hostility lay in Pesquiera's change of attitude. After Crabb's return to California from his first visit to Sonora, Pesquiera and Gandara had reconciled their differences and divided the spoils of office between them. Pesquiera, consequently, had no longer any use for Crabb's services, and feared lest his former relations with the American might prove a serious embarrassment if they became known. He therefore bent all his energies toward defeating the plans of the expedition and destroying those who composed it.

[6] The personnel of the expedition, as given by the U. S. military commander at Fort Yuma, was as follows: General Crabb, ex-state senator, and leader of the Whig and Know-nothing parties. Colonel Wood, ex-member of the legislature, Fillmore national executive committee, and Fillmore elector for California. Colonel McConn, ex-member of the legislature of California. Dr. T. J. Oxley, ex-member of the legislature; two terms served as Whig and Know-nothing leader. J. D. Cosby, State senator from Siskiyou. Captain McKinney, formerly in Colonel Doniphan's command, and later member of California legislature. Lieutenant Henry, ex-member of California Legislature.

Crabb, perhaps ignorant of Pesquiera's change of heart, or else regarding his expedition as a legitimate colonizing enterprise based on an established Mexican law, had difficulty in understanding the critical danger in which he and his men were now involved. Leaving Sonoita, the expedition began its march from the border; but near the town of Caborca, they were fired upon by a party of Mexican troops lying in ambush. In a short time the entire company was fighting for its life in the narrow streets and adobe houses of the little pueblo.

After several of his men had been killed and others severely wounded, Crabb sought terms of surrender. The Mexican commander, Gabilondo, promised the Americans a fair trial and agreed to furnish proper medical attention for their wounded. Crabb unwisely accepted these terms. His men, one by one, crossed the street from the American position to a church occupied by the Mexican forces. No sooner had they laid down their arms than they were securely bound and taken to the Mexican barracks.

The surrender occurred about eleven o'clock on the night of April 6th. The next morning the Americans were taken out in squads of five and ten and mercilessly executed under Gabilondo's orders and at the instigation of Pesquiera. The details of the massacre are too barbarous to be repeated. For heartless cruelty the incident is unsurpassed, even by the slaughter of the French at St. Augustine, or the butchery of the Texans at Goliad. The bodies of the Americans were left unburied and subject to the most shameful and revolting treatment.[7]

Crabb himself faced death "as a gentleman should, as calmly and quietly as though he were going to a pleasant home." The Mexican commander had reserved for him a special form of execution. He was tied to a post, with his hands raised above his head and his back to the Mexican troops. In this position his body was riddled with nearly a

[7] Only one of the party, a boy 14 years of age named Charles Evans, escaped. Other Americans, two of whom at least were on American soil, were seized and killed by Mexican troops after the Caborca massacre.



hundred balls. His head was then cut off and preserved in *mescal* as a trophy of the occasion.

Certain American historians have shown a peculiar tendency to applaud the massacre of American citizens at Caborca as a justifiable outburst of Mexican patriotism. Such an attitude is difficult to account for. Crabb and his men were not executed by patriots, driven to a terrible act of vengeance by a violation of their country's rights. The true explanation of the tragedy lies in Pesquiera's antagonism to the Ainsa family, with which Crabb was allied, and in his desire to restore his tarnished reputation and destroy those whose testimony might convict him of traitorous dealings. John Forsyth, American Minister to Mexico at the time of the massacre, correctly summed up the motives of the massacre, as follows:

"I think there is little reason to doubt that Mr. Crabb was invited to Sonora, and that he was the victim of deception, treachery, and surprise.

"The sequel of history, I fear, will prove that the extermination of himself and of his party was designed to cover up the complicity and treason of some of the Mexican public men of Sonora. This is only surmise on my part, colored, however, by some dark hints that have come to me to that effect. It is not easy, upon a different hypothesis, to account for the conduct of Crabb. He was a man of sense and energy, and cannot be supposed to have gone with his eyes open into the snare that was set for him. He must have been betrayed."

Elsewhere, Forsyth, who was decidedly hostile to Crabb's expedition, made this interesting comment,

"The expeditionists have certainly chosen an unfortunate time for their movements as regards the interests of the United States in their relations with Mexico. The invasion is calculated to produce an unhappy influence, adverse to the efforts which I have constantly and perseveringly made to eradicate from the Mexican mind the deeply-seated distrust of Americans, and to establish in its stead a confidence in the friendly and honorable sentiments of our government and people towards them. My observation has taught me to believe that nothing but this distrust and fear of our

people has prevented the States bordering on the United States—especially those like Chihuahua and Sonora, overrun by savages and receiving no protection from the Mexican government—from breaking their feeble ties with the central government, and seeking in annexation with us, that security for life and property of which they are now wholly destitute. The people of Mexico have been taught to believe from the examples cited to them in California and Texas, that their property titles, especially to land, would not be respected by their new rulers. I have the opinions of the most intelligent men I meet here, that this circumstance alone has saved to the republic of Mexico the fidelity of Tamaulipas, New Leon, Chihuahua, and Sonora."

Crabb's death marked the end of expeditions from California into Mexican territory. The coming of a more settled state of society and the outbreak of the Civil War brought this particular phase of the State's history to a close. Sonora, "the land of romance, the land of tragedy, the dream-land of the filibuster," was destined to retain her Mexican statehood, instead of adding another name to the long list of those Mexican provinces which the United States acquired in the days when "manifest destiny" was something more than a popular phrase.

The latest and most comprehensive treatment of the California filibustering movements is,

Scroggs, William O., *Filibusters and financiers* (New York, 1916.)

Earlier authorities consulted in the preparation of this chapter are:

Wells, William V., *Walker's expedition to Nicaragua, a history of the Central American war* (New York, 1856.); and Walker, General William, *The war in Nicaragua* (New York, 1860).

Both of these volumes deal with Walker's Sonora and Lower California exploits. The best account of Crabb's expedition is in *House Executive Documents*, 35 cong. 1 sess. doc. 64.



CHAPTER XXIII

THE FIRST DECADE OF POLITICS

DURING the decade immediately following the establishment of state government in California, politics never attained a very high level. Only a lukewarm interest was taken in national affairs, except as an action of Congress or the President promised to affect some matter of local concern. Even in the workings of their own state government, the people showed such little interest that political control passed almost entirely out of their keeping into the hands of a few skillful, energetic men, whose bitter rivalry for control of party machinery added an exciting, though unedifying, element to the otherwise monotonous course of local politics.

Curiously enough, the first California Legislature had met, performed its duties, and adjourned almost a year before California became a state. The capital had temporarily been fixed at San José by the constitutional convention, and here the two houses met on December 15, 1849, with sixteen members in the Senate and thirty-six in the Assembly.[1]

The chief work of this Legislature consisted in drafting a code of laws, providing revenue to meet the government's immediate needs, and electing William Gwin and John C. Frémont to the United States Senate. The body also attained a certain unique position in the state's history as the "Legislature of a Thousand Drinks," a name which owed its origin (so it is said) to the oft repeated motion of Senator Thomas J. Green, late of Texas, "to adjourn and take a thousand drinks."

The chief issues in state politics after the government

[1] Each legislator received $16 a day during the session, with an allowance of the same amount for every twenty miles travelled to and from the state capital.

was in actual operation included the location of a permanent capital; a conflict of interests between the mining counties on the one hand and the agricultural and commercial sections on the other; the grievances of the South against the North, especially in connection with the levying of taxes, appointments to office, and apportionment of public funds; the question of state aid for stage and immigrant roads across the mountains; the sale of water front lots in San Francisco; the difficulty of enforcing law; and the protection of frontier counties from Indian depredations.

The permanent location of the state capital caused considerable stir both in the Legislature and among the rival cities contesting for the prize. San José and Monterey were the best known of these; but two as yet *in embryo* cities also offered their appeal. One of these, called by its sponsors New York on the Pacific, made up in name what it lacked in size; the other, like the ancient city of Nehemiah, "was large and great; but the people were few and the houses not yet builded."[2]

The site of this second prospective capital was a tract of land on the Straits of Carquinez belonging to General Vallejo. The latter offered to donate 156 acres to the state for public purposes and within two years provide $370,000 in cash for the erection of buildings, if the capital should be located on the proposed grant. A popular election authorized the change from San José to Vallejo, as the new site was called, and after a good deal of wrangling and some further offers from Vallejo, the Legislature accepted the General's proposal.

When the Legislature came together in January, 1852, however, some six months after Vallejo had agreed to provide proper accommodations for its sessions and living quarters for its members, they found none of these things done. Nor was Vallejo able to live up to the other obligations he had undertaken. So the state government, after much confusion, departed bag and baggage from the Carquinez metropolis to Sacramento. It was not until 1854, however, that this city was made the permanent capital.

[2] Suggested by William T. Foster in the *Atlantic Monthly*, July, 1920.



When it became known that the government proposed to move to Sacramento the people of that city chartered a river steamer, the *Empire*, to convey the members of the Legislature to the new scene of their labors. The departure from Vallejo was thus described by a humorous and disrespectful correspondent of one of the contemporary newspapers:

"Bright and early therefore the next day the whole town was in commotion. Carpets were torn up from the floor, stoves and the long stove pipes came down on the run, the china chairs were tumbled in a heap out of the State House and carried in homogeneous masses on men's heads down to the wharf. The bar-keepers, finding their occupation was gone, decided to stick by the Legislature as their only safeguard, and decanters and tumblers, bars and bar fixtures, stoughton bitters, silver twirlers and champagne baskets went pell mell into confusion and down aboard the boat, mixed in with legislators, judges and private gentlemen who merely came in to see what the two houses were doing! The barber put his razor, his indiscriminate hair brush, and his supply of one towel into his pocket, shouldered his chair, and marched down to the Empire also. Here and there only was a long face marking some spectator who was gazing bewildered in the turmoil, and saying to himself, 'Fallen is Vallejo—Vallejo the magnificent.' While in the midst of the confusion the shrill notes of *the* washerwoman were heard, who was hurling elegant epithets against everything in general, the gay deceivers of the Legislature in particular, and now and then interlarding her remarks with moral reflections touching unpaid bills, etc."

The rivalry between the mining and agricultural districts of the state was a far more serious affair than the question of the location of the capital. The friction, indeed, which arose out of this conflict of interests, especially that created by the question of taxation, was largely responsible for the frequent efforts at state division attempted during this period. For while San Francisco and other non-mining sections in the North had in some degree the same grievances as the South, yet the latter suffered far more keenly from the unjust burdens of taxation and the unequal distribution of state favors.

Even as early as the constitutional convention a group of southern delegates had favored state division and sought the establishment of a territorial government for the counties they represented. In doing this they were actuated largely by the fear that the South, with its relatively scant population and its large land holdings, would be compelled, if united with the North, to bear a disproportionate share of the state's financial burden, while having but little voice in its government or share in its political rewards. This fear, fed also in some degree by the traditional antipathy of South to North inherited from the old days of Mexican control, found ample justification as the state government got under way.

In Governor McDougal's annual message of January 7, 1852, he pointed out that taxation throughout the state was in no sense proportionate either to population, or representation in the Legislature. The six southern counties, with a population of approximately 6,000, annually paid to the state $42,000 in taxes on real estate and personal property; the twelve counties chiefly devoted to mining, which represented 130,000 persons, escaped with only $21,000. In poll taxes the southern counties contributed nearly $4,000 to the state treasury; the mining counties, though assessed over $50,000 under this form of tax, actually paid only $3,500. Yet the southern counties, which, combined, paid twice the taxes of the mining sections, had only twelve representatives in the Legislature, while the mountain counties sent forty-four.

Figures of a similar nature were compiled from time to time by southern newspapers for the benefit of their already disgruntled constituents, and as a protest against the manifest injustice of the tax and representative apportionments.

"The overwhelming influence of the North in the legislature is seen in every act which has been passed within two years," said one Los Angeles newspaper in 1851. "The northern counties are engaged almost entirely in mining and contain very little land liable to taxation. As a consequence the burdens of taxation fall principally upon the South—burdens which our people are poorly able to bear."



Another southern paper declared that the injustice

"worked by this unequal apportionment will account for the almost unanimous feeling of the southern people in favor of a separation from the north, and the establishment of a territorial government."

Again the *Star* sarcastically remarked that the Legislature at Sacramento gave never a thought to the insignificant "Cow Counties" of the South until it became necessary to raise additional revenue for state purposes.

Nor was the dissatisfaction confined to the question of taxation and representation alone. The non-mining sections, North as well as South, were united in the feeling that the mining population, and their representatives at the capital, were ignorant of the state's needs and lacked interest in its welfare.

"They make laws for their own government," said the *Daily Alta* in speaking of the miners, "and in all things live, move, and almost think separately and apart, as though no bond of connection or sympathy existed between their interests and those of the commercial cities and other sources of wealth of our infant state."

But while the non-mining counties in the North felt in some degree the injustice of these matters, they at least were able to secure sufficient benefits from the state, in the form of appropriations, special legislation, and appointments to public office, to offset whatever inequalities they complained of. And as time went on, their growth in population enabled them also to obtain a fair degree of equality of representation with the mining counties.

The South, however, found no such compensation for its grievances, and for at least a decade continued the agitation for a division of the state. In 1851 this movement reached such serious proportions that a "Convention to Divide the State of California," was summoned to meet in Los Angeles on November 10. The call to this convention thus summed up the view-point of the South:

"Whatever of good the experiment of a State government may have otherwise led to in California, for us of the Southern Counties it has proved only a splendid failure. The bitter fruits of it no county has tasted more keenly than Los Angeles. With all her immense and varied natural resources, her political, social and pecuniary condition at this moment is deplorable in the extreme—her industry paralyzed under the insupportable burden of taxation; her port almost forsaken by commerce; her surplus products of no value on account of the enormous price of freights; her capital flying to other climes; a sense of utter insecurity of property pervading all classes; and everything tending to increase and fasten upon her, in the guise of legislation, a state of actual oppression. . . . A prey to incessant Indian depredations from without, and destitute of internal protection for our lives and property under laws as applicable to our wants and the character of the population, and withal a continued ruinous taxation impending over us, our future is gloomy indeed, as a community, if we shall fail in this appeal to our brethren of the North for the only redress consonant with our mutual interests—a *Separation*, friendly and peaceful but still complete, leaving the North and South to fulfill their grand destinies under systems of laws suited to each. . . ."

The signers of this document were Agustín Olivera, Pio Pico, Benjamin Hayes, J. Lancaster Brent, Lewis Granger, John O. Wheeler, José Antonio Carrillo.

Though the movement of 1851 accomplished no practical end, the southern counties continued in a desultory fashion to talk of state division until 1859. The failure of the government at Sacramento to check the lawlessness and crime everywhere so prevalent in the state, or to provide any adequate defense for the exposed communities of the South against Indian frays, added to the irritation and discontent engendered by other grievances. Some southern residents may also have cherished the faint hope of establishing a pro-slave territory if the state should be divided, but the force of this motive was of minor significance, if, indeed, it ever had any real existence.

By 1859 conditions seemed favorable for the South to accomplish its long cherished purpose. A bill proposing state division was presented by Andrés Pico in the Legisla-



ture, and on April 18th that body gave its consent to the formation of a separate government for the five counties of San Luis Obispo, Santa Barbara, Los Angeles, San Diego, San Bernardino, and a part of Buena Vista.[3] These were to be erected into a territory called the Territory of the Colorado, or by some other name the citizens might select. But in order to become effective, it was necessary for the proposed measure to receive a two-thirds vote in the counties affected, as well as the sanction of Congress. As the last requirement had not been met before the Civil War broke out, the measure died aborning.[4]

During this decade, unfortunately for the later history of the state, political morality was so lax and legislative standards so low, that inefficiency and corruption became a sort of traditional heritage of the California Legislature for many years to come. The details of individual cases of graft and dishonesty of seventy years standing are of no great significance today; but this early surrender of the state to those who sought only personal profit or advantage from political control, set an unfortunate precedent whose consequences later decades had difficulty in escaping.

Many of the newspapers were outspoken enough in their criticisms of the government during these years, but little good seems to have come from such attacks. The Legislature of 1851, to cite a random example, was spoken of by one of the San Francisco papers as "an infamous, ignorant, drunken, rowdy, perjured and traitorous body of men." The *Daily Alta Californian*, organ of the Independents, rejoiced that the Legislature of 1852 would rectify the evil done by its predecessors and

> "rescue the state from the labyrinth of imbecility, vagueness, and iniquity into which it has strayed with scarcely a clue by which to retrace its erring steps, or life and strength enough to vindicate its honor and punish those who have shamelessly abused its confidence."

[3] Proposed but not created.

[4] Other measures for state division were also proposed between 1850 and 1860, but it is scarcely necessary to discuss the subject at greater length.

Before many days, however, according to the same writer, the new body gave unmistakeable evidence of following the "old system of combinations, arrangements, pledges, promises, log-rolling, scheming and swapping of votes," which had characterized its predecessor. These charges were doubtless exaggerated. But trustworthy records, not only of these two sessions, but of nearly all other meetings of the Legislature during the decade, testify to the low political standards of the time.

Federal issues figured but little in the state's politics, though parties were organized along national lines and voters nominally cast their ballots as Whigs, Know Nothings, or Democrats, depending chiefly upon their previous party affiliations east of the mountains. There was also a small group of Independents, who occasionally held the balance of power between the regular parties; but while this group could sometimes determine the choice of rival candidates, it was rarely of sufficient importance or well enough organized to fill state or national offices with its own men.

The regular parties were under a machine control that recognized no shadow of popular responsibility. The Democratic party, especially, which dominated the state during all but a year or two of the decade, when the Know Nothings held a brief supremacy, was led by a group of shrewd dictators who regarded the state as a sort of private preserve for their own political advantage. The struggle for supremacy among these self constituted leaders furnished the chief element of excitement in state politics until the Civil War, and culminated in the bitter feud between Broderick and Gwin which disrupted the Democratic party and prepared the way for Republican control.

William M. Gwin was a Tennessean by birth, a physician by education, and a politician by instinct and deliberate choice. His early career had been determined very largely by his close association with Andrew Jackson, who, whatever may have been his faults, seldom neglected to advance the political interests of personal friends. Gwin, accordingly, had acquired a certain reputation in Tennessee and Missis-



sippi before the close of the Polk administration. But when the gold rush started, he set out for California, resolved to assume the leadership of politics in the new state and secure a seat in the United States Senate.

Gwin's ambitions were quickly realized, for in the first legislative session after the adoption of the constitution, in the framing of which he had played a prominent part, he was elected to the United States Senate for the full term of six years. As the most conspicuous of California's representatives at Washington, Gwin served his state with more than ordinary success and at home built up a constituency that seemed to render his position permanently secure. His supremacy, however, did not go long unchallenged. David C. Broderick of New York, son of an Irish stone mason, to which trade he himself had been apprenticed as a boy, reached California shortly before Gwin's election to the Senate and began at once to organize a rival political machine.

Broderick, like Gwin, came to California with the purpose of realizing certain definite political ambitions. Like Gwin, too, he was already trained in practical politics before he reached the Pacific; but his education along this line had been very different from that of his southern opponent. For while Gwin represented the traditions and practices of the Democrats of the southwest, Broderick had learned his art in the shrewdest of all political schools—the Tammany organization of New York. To the training thus acquired he added a native aptitude for controlling men, an aggressive determination, and a contemptuous disregard for the methods and traditions of the older school of politics.

In the rivalry between these two men—the bitterest and most intense in the history of the state—Gwin found his chief support among the southern and western Democrats in California. His followers were commonly dubbed the Chivalry Wing, or more popularly, the "Chivs," and were supposed to hold aristocratic ideals of government as opposed to the more democratic conceptions of Broderick's supporters, most of whom were men of northern extraction. Gwin's

followers were also charged with pro-slavery views. And as Gwin himself has frequently been styled the arch-champion of the slave-holding interests in California, the Gwin-Broderick fight is often explained as a contest between the pro-slavery and anti-slavery forces of the state. As a matter of fact, however, the issue was not so much one of principle as of personal ambition; and neither Gwin's attitude on the negro question, nor Broderick's, much affected it either way.

Gwin's chief advantage, aside from his reputation and established leadership in state affairs, lay in his monopoly of federal patronage and his control, because of this, of a very effective political machine in which federal office holders played an important part. Broderick, on the contrary, though almost shut off from this source of influence, succeeded in building up a powerful following, both through the organization of municipal politics in San Francisco and Sacramento, and by the adroit use of state patronage and the manipulation of nominating conventions for state offices.

One of the most notable encounters in the struggle for supremacy between these two men came in the Legislature of 1854. Normally, the election of United States Senator was not due until the session of 1855; but Broderick, thinking he controlled the situation, sought to force the Legislature then in session to proceed with the election. This plan almost succeeded; but after a bitter, and at times an apparently losing fight, the Gwin faction finally defeated the maneuver and deferred the election until its regular time. In the contest, it is needless to remark, both sides resorted to every means, legal and illegal, at their command; and the money spent to influence the legislative vote ran far ahead of anything the state had ever known before.

The bitterness engendered by this fight naturally led to a widening of the breach in the Democratic party. The next state convention, which met in Sacramento, broke up in confusion; and for a time, since most of the delegates were armed, it looked as though a pitched battle would



certainly result. The next day the two factions held separate conventions and each put its own ticket into the field, thus apparently assuring success for the Whig party in the fall elections. The latter party, however, was not able to take advantage of its opportunity; and the election returns gave the Gwin candidates a decided majority in the Legislature.

But Broderick was by no means put out of California politics by this defeat. With a persistency and shrewdness seldom equalled, he continued his struggle for the state's mastery; and after throwing the Legislature of 1855 into a deadlock over the senatorial election, succeeded in reëstablishing his control over much of the party machinery throughout the state. The continued schism in the ranks of the Democrats was largely responsible, however, for the victory of the Know Nothing party in the election of 1856. But this victory left Broderick in a much stronger position when the triumph of the Know Nothings came to an end in the following year.

In the legislative session of 1857 the senatorial election was again the absorbing issue. In this contest Broderick proved strong enough not only to secure his own election, but in some degree to dictate to the Legislature the choice of his colleague. For Broderick's unquestioned authority forced Gwin into a compromise with his former rival that might well be called the "Bargain and Corruption" episode of California politics.

Under the terms of this agreement, which was arranged in a secret interview between Gwin and Broderick personally, the latter undertook to secure for Gwin the election to the United States Senate; and Gwin, on his part, pledged himself to turn over to Broderick his monopoly of federal patronage in the state. In previous years this had been Gwin's chief political asset and a prize greatly sought after by his rival.

The first provision of the compromise was successfully carried out. Despite universal astonishment, much chagrin, and vigorous denunciation of the "Bargain," Gwin accepted

the senatorial election from Broderick's hands, and even went so far as to publish in the newspapers a formal renunciation of any part of the federal patronage. The question of appointments to federal office in California, however, was not thus easily disposed of, for President Buchanan did not take kindly to Broderick or his recommendations, and filled various important positions in California with men to whom the new Senator from the coast was opposed.

Coupled with this issue of the federal patronage, was Broderick's opposition to Buchanan's course in the heated controversy over the slavery issue in Kansas. Broderick vigorously opposed the Lecompton Constitution, to which Buchanan had definitely committed himself, so that the breach between the President and Broderick was still further widened. As an upshot of the situation, Broderick returned to California in 1859, out of favor with the administration and unable to reward his followers with the federal appointments to which they so confidently looked forward.

Gwin's return to the state a few months later was the signal for a renewal of the old feud, to which the "Bargain" of unsavory reputation was supposed to have made an end. The quarrel was pursued on either side with bitter vindictiveness. Each man besmirched his own reputation in order to injure that of his opponent. But public opinion, strangely callous to these open confessions of corruption, failed to drive either of the guilty Senators out of politics.

It was not long, however, before Broderick's career came to a tragic close. As a result of certain charges made by Broderick against Judge David S. Terry of the State Supreme Court (one of Gwin's stanchest supporters), the latter resigned his position and challenged Broderick to a duel. The challenge was accepted, and the two men met on the morning of September 13, 1859, in a little valley in the hills of Marin County not far from San Francisco. The weapons chosen were duelling pistols and the distance thirty paces.

Both men were known to be excellent shots. Broderick had participated in at least two similar encounters in earlier



stages of his career; but at this time his health was undermined and his nerves badly upset by the long continued strain of the campaign through which he had just passed. Consequently he was severely handicapped in the duel, and fell an easy victim to Terry's well directed aim. Broderick's own shot, though fired first, entered the ground barely nine feet from where he stood.

The death of Broderick, in some respects like that of Hamilton at the hands of Burr, aroused public opinion as the man himself had never succeeded in doing while alive. Though Terry escaped any legal consequences of his act, his name has not escaped the infamy, which justly or unjustly, it incurred because of Broderick's death. More important still, at least from the political standpoint, the death of Broderick reacted disastrously upon Gwin.

The breach between the two wings of the Democratic party was now too wide for any possible reconciliation. And as Broderick's followers had all along opposed Buchanan's policy in Kansas, most of them joined with the newly formed Republican organization to bring about the overthrow of the long continued Democratic domination of the state. This occurred in the election of 1860. In California, as in other states, the campaign of that year was complicated by the confused condition of federal politics. The Democratic party, divided between the Douglas and Breckenridge factions, with many of its former adherents also voting for Lincoln or Bell, could not stand against the growing power of the Republicans, and the four electoral votes of the state went for Lincoln.

With the approach of the Civil War, a critical situation arose in California. The isolated position of the state, and the lack of close political or economic ties to bind it to the rest of the nation, created a feeling of indifference among most of the northern sympathizers regarding the outcome of the great contest in which the national government was involved. A numerous foreign element in the population further accentuated this attitude of aloofness. On the other hand, there was a large and influential body of citizens of

southern birth and sympathies that actively worked to bring about the secession of California from the Union.

It was not expected, nor even desired by this party, however, that the state should formally join the Richmond Confederacy; but they hoped, by reviving the old plan of a Pacific Republic, to weaken the North through the withdrawal of California's important financial and moral support. The southern sympathizers also looked to see the new republic serve as a source of supplies for the Confederacy, and it was expected that privateersmen would outfit along the coast for attacks upon Union merchantmen. More important still, the plan promised to divert the badly needed silver and gold bullion of the California and Nevada mines to the southern states.

The plans of the Confederate supporters were not defeated without the most vigorous efforts by a few of the state's loyal citizens. The union of many of the Douglas Democrats with the Republicans broke the political power of the Chivalry or Gwin faction, and so took most of the state offices out of the hands of the southern sympathizers. The fealty of the federal troops stationed in California was also assured when President Lincoln superseded Albert Sidney Johnston, then in command of the Pacific Division of the United States Army, by General Edwin V. Sumner.

But the real burden of keeping the state true to the government fell upon a relatively few Union men, whose intense earnestness and loyalty were largely instrumental in arousing public opinion against the secession movement. San Francisco was the headquarters of this Union group. Here great mass meetings were held and a secret organization formed, known as the "Home Guard," to prevent secession. Thomas Starr King, apostle of the Union cause, toured the state in a remarkably effective campaign to arouse the spirit of loyalty. The state Legislature pledged its support to the Lincoln government. Thousands of volunteers enlisted in the state militia for home defense. Money was freely raised by public and private subscription to meet the state's war-time obligations. More than a million dollars were voluntarily



contributed to the work of the Sanitary Commission. Finally, some 15,000 men were enrolled from the state in various branches of the Union army.

Despite such efforts, however, the northern supporters could not wholly undo the work of their opponents. Many Southerners, among whom the most conspicuous was Albert Sidney Johnston, made their way back to the theater of war to join the armies of the Confederacy. Senator Gwin, who had come to California shortly after Lincoln's inauguration, proffered his services to the Richmond government and sailed for Havana by way of Panama. After numerous adventures and some months of confinement in a Union prison, he finally reached Mississippi. Afterwards he represented the Davis administration at the French Court.

More than one vessel, ostensibly fitted out for Mexican or South American ports, slipped away from California waters to prey upon Union commerce in the Pacific. In certain parts of the state, notably at Visalia and other cities of the San Joaquin, at Sonoma, and in the Santa Clara Valley, the secessionist feeling was far stronger than Union sympathy. In certain of these communities the newspapers boldly championed the southern cause, Confederate flags were everywhere in evidence, and military companies were organized to offset the efforts of Union sympathizers.

Guerrilla bands, operating under the guise of southern irregulars, likewise interfered somewhat with the shipment of bullion through the mountains, and caused some loss of property to northern supporters. The whole air, indeed, during the four years of war, was full of the plots of southern adherents to overthrow or injure Union influence. Many of these were too fantastic ever to succeed; but the isolation of the state and the indifference of the public mind made the situation one of real danger, even as late as 1864.

Aside from the issue of seccession and the change from Democratic to Republican control, the politics of California during the Civil War period showed no material change. Some measures of local significance were passed by the Legislature; and various laws which profoundly affected



the state were enacted by Congress. From the standpoint of public morality, however, the government of California underwent but little change from the low level to which it had fallen during the early fifties. Professional politics and public indifference still prevented any radical departure from the accepted policy of turning a public trust to private gain.



CHAPTER XXIV

THE OVERLAND MAIL AND THE PONY EXPRESS

BEFORE the building of railroads, one of the most serious problems California had to face, from a social and political, as well as an economic standpoint, was the development of some means of carrying on local and transcontinental communication. To supply this pressing need for transportation facilities, measures of various kinds were undertaken by unofficial bodies as well as under state and national direction.

Road building was naturally regarded as one of the essential means of solving the difficulty, and was undertaken both at private and public expense. In September, 1854, for instance, the people of Los Angeles raised $6,000 for the construction of a wagon road between their city and Fort Tejon. The work was completed in December of the same year. In 1855 the state Legislature appropriated $100,000 for a road through Johnston's cut-off in the Sierra Nevada Mountains, $7,000 for a road from San Diego to the Colorado River, and $20,000 for the old Mormon road from San Pedro through the Cajon Pass to Salt Lake City.[1]

With the increase of population and the building of roads, transportation companies sprang up like mushrooms to meet the increased demand for more adequate service. Nearly all of these companies carried freight, passengers, express or mail, as the opportunity arose. Many of them grew into large and flourishing organizations, and played a very vital part in the upbuilding of the state. It is manifestly impossible to list any considerable number of these lines, but a few may be cited by way of illustration.

[1] About the same time the federal government set aside $50,000 for the same road. Over it one of the earliest of the overland mail services to the state was inaugurated.

In 1854, for example, the Adams Express Company began a monthly express service between San Francisco and Salt Lake City, by way of Los Angeles. From the last named city, according to the company's advertisements, the route included the following settlements—El Monte, San Bernardino, Cold Creek, Johnston's Springs, Parowan, Ked Creek, Fillmore City, Nepthi City, Summit Creek, Payson's, Provo City, and American Fork. The following year the California Stage Company added a line of stages to this route; and of more importance still, a very considerable freight business sprang up between the two cities.

This service was all the more important because heavy winter snows ordinarily shut off communication between Salt Lake and St. Louis on the east, and San Francisco on the west, during a large part of the year, leaving the Los Angeles-Salt Lake road the only means of outside communication for the Mormon settlements. As a result of this "natural monopoly," the Los Angeles merchants profited greatly from the Salt Lake trade, and built up a large trade between the two cities. An idea of the importance of this business may be gained from the fact that the single firm of Alexander and Banning frequently sent out a train with as many as fifteen ten-mule teams, transporting merchandise valued at $30,000 or $40,000. Freight charges over the route ranged from 18 to 25 cents a pound.

While these local, or semi-local lines were a material benefit to the communities they served, the most vital interest of California lay in the development of transcontinental means of communication. In the matter of mail service, for instance, for nearly ten years after the discovery of gold (with the few exceptions to be noted elsewhere), the people of the state were compelled to rely wholly upon the Pacific Mail Steamship Company. Although this company drew an annual subsidy of $700,000 for carrying a monthly mail between New York and San Francisco, it performed its functions in a most abominable manner, if the literature of the time is at all to be relied upon.

Even when the service was made semi-monthly in 1851,



the southern part of the state still suffered most exasperating delays in receiving its eastern mail. Letters from New York were sometimes seven or eight months reaching Los Angeles. The Pacific Mail vessels frequently failed to stop at San Diego on either northward or southward voyage, but carried the Los Angeles mail from Panama to San Francisco, and back again to Panama, with fine disregard for the impatient citizens of the southern cities. Consequently, letters from New York sometimes required seven or eight months to reach Los Angeles.[2]

Naturally the people of the state were anxious to bring such a condition to an end, and very early began the agitation for a regular overland mail service to the east. Prior to 1857, however, only a few abortive attempts were actually made either by Congress or private individuals to inaugurate such a service; and from these efforts the people of the state derived little immediate benefit.

The most ambitious of these early undertakings was that of Absalom Woodward and George Chorpenning. With these men the United States government contracted, April 25th, 1851, for a monthly mail service each way between Salt Lake City and Sacramento. The first route was "along the regular emigrant road through Placerville, crossing the Sierras at Carson's Cañon, then following along Carson and Humboldt Rivers, and around the northern end of the lake to Salt Lake City." Thirty days was allowed for the 900 mile trip; and though this could be made easily enough in summer, the winter often found the route impassable; so that Chorpenning was obliged to abandon it during several months of each year and forward the mails to San Pedro by sea and thence transport them overland to Salt Lake by the Mormon Trial.

Indian attacks on the northern route were also frequent. So, while the government subsidy, which amounted to only $14,000 a year, was afterwards increased, and a shorter road opened between Placerville and Salt Lake through

[2] In 1855 one of the southern newspapers stated that San Luis Obispo had had only 8 mails in 18 months.

northern Nevada, Chorpenning's project never gave very satisfactory service, nor repaid the contractors by several hundred thousand dollars for the expense and labor involved.

One of the reasons for the slow development of the overland mail service was the very powerful and well-organized opposition in Washington of the Pacific Mail Steamship Company to a rival carrier. The intense sectional jealousy between Northern and Southern California, and between western and southern states, over the location of the route was another retarding influence. Almost every immigrant trail running into the state had its backers, but eventually the contest narrowed down to three main routes.

The first of these, much frequented by early immigrants, ran from Independence, Missouri, and later from St. Joseph, to Salt Lake, by way of Laramie, Fort Bridger, and the South Pass. Over the eastern portion of this route, from Missouri to Salt Lake, a monthly mail service was almost continuously maintained by various contractors after 1850. This supplied both the Mormon settlements in Utah and the United States military forces along the frontier. But from Salt Lake to California, this northern route was frequently impassable during the winter months, as Chorpenning found by hard experiment.

The second proposed route left Springfield, Missouri, and ran in a southwesterly course to the Canadian River. Following the course of this stream, it passed through Albuquerque, and held almost directly west until it reached the Colorado. From the Colorado it continued to the Mojave, and then turned northward to the Tejon Pass. From the Tejon, one branch led to Los Angeles; and another continued up the San Joaquin Valley to San José and San Francisco. This route, commonly known as the 35th parallel route, or Beale's route, was apparently the most favored of the three by mail contractors.

The southern route, which eventually obtained the government subsidy, will be described in detail later. It is sufficient here to point out that while considerably longer



than either of the others, and running for much of the way through barren or even desert country, it had the great advantage of being open the year round; and was consequently looked upon as the most available of the three by postal officials.

Over this route a mail service was established from San Diego to San Antonio, Texas, in 1857. Guinn quotes from the San Diego *Herald* this description of the departure of the first mail:

> "The pioneer mail train from San Diego to San Antonio, Texas, under the contract entered into by the government with Mr. James Burch, left here on the 9th inst. [August 9, 1857] at an early hour in the morning and is now pushing its way for the east at a rapid rate. The mail was of course carried on pack animals, as will be the case until wagons which are being pushed across will have been put on the line. . . . The first mail from the other side has not yet arrived, although somewhat overdue, and conjecture is rife as to the cause of the delay."

The government contract with Burch, mentioned in the quotation, was only on a temporary basis, pending the passage through Congress of the long delayed Overland California Mail Bill. And in the closing hours of Pierce's administration, this measure, after a deal of wrangling, finally became a law. Under the terms of the act, the Postmaster General was empowered to select a route, determine the frequency of the service, and advertise for bids for the transportation of all letter mail from the Mississippi to San Francisco. The contract was to run for six years and called for a subsidy of $300,000 annually for semi-monthly service; $450,000 for weekly service; and $600,000 for semi-weekly service, at the option of the Postmaster General.

Nine bids were made for this contract; but the award finally went to the Butterfield Overland Mail Company, a concern closely affiliated with Wells-Fargo, and controlled almost entirely by New York stockholders. The southern route was selected by the Postmaster General, and St. Louis chosen as the location of the central depot of supplies. All

sections of the country, as a contemporary newspaper pointed out, thus shared to some extent in the advantages of the contract.

The route of the Overland Mail, as Butterfield's Company came to be known, can be best shown from the following "time table" printed in a newspaper of the period.

	Miles	*Hrs. Mi.*
San Francisco to Los Angeles	464	80:00
Los Angeles to Fort Yuma	280	72:20
Fort Yuma to Tucson	280	71:45
Tucson to Franklin (El Paso)	360	82:00
Franklin to Fort Chadbourne	428	128:40
Fort Chadbourne to Colbert's Ferry (Red River)	283	62:25
Colbert's Ferry to Fort Smith	192	38:00
Fort Smith to Tipton	313	48:55
Tipton to St. Louis [By railroad]	160	11:40

Between Los Angeles and San Francisco the route passed through San José, Gilroy, Pacheco Pass, Fresno City, Visalia, Fort Tejon, French John's, San Fernando and a number of other settlements which at that time enjoyed a reputation and a name.

From St. Louis to San Francisco the postage on first-class mail was three cents for each half ounce. Three sacks of letters, averaging 170 pounds in weight, and a newspaper bag, of about 140 pounds, were carried by each coach. These coaches were substantially built, and at a pinch could accommodate six passengers. From four to six horses or mules were attached to each coach. They traveled day and night, running on a maximum schedule of twenty-five days for the one way trip. This maximum time, however, was seldom required, except where delays occurred from Indian attacks or flooded rivers.

There was likely to be irregularity, however, in the mail service between Memphis and Fort Smith; and as the Butterfield stages picked up the southern mail at this point for conveyance to California, such delay sometimes interfered with the normal schedule. Probably the quickest



trip on record was made in 1859, when the mail leaving St. Louis on September 16th reached Los Angeles on October 3, having been on the road only seventeen days, six hours and ten minutes.

The business of the Butterfield Company was conducted in a thoroughly systematic manner and on a very large scale. Nearly eight hundred men were in the employ of the company. The equipment consisted of more than a hundred Concord coaches, a thousand horses, and five hundred mules. Stations were built (wherever possible), at ten mile intervals. These were ordinarily of adobe, and the government allowed 320 acres of land for building and grazing purposes at each station. In sections where there was danger of Indian attack, a guard of twenty or twenty-five men was placed at each station to protect the company's property and to convoy the mail coach through the hostile country.

The fare from Memphis or St. Louis to San Francisco was $200. Passengers had to furnish their own meals, but were given facilities for preparing them at the company stations. Each passenger was allowed to carry forty pounds of baggage without cost. He was advised to equip himself for the journey with the following outfit:

> One Sharp's rifle and a hundred cartridges; a Colt's navy revolver and two pounds of balls; a knife and sheath; a pair of thick boots and woolen pants; a half dozen pairs of thick cotton socks; six undershirts; three woolen undershirts; a wide-awake hat; a cheap sack coat, and a soldier's overcoat; one pair of blankets in summer and two in winter; a piece of India rubber cloth, a pair of gauntlets, a small bag of needles, pins, etc.; two pair of thick drawers, three or four towels, and various toilet articles.

The Overland Mail was looked upon by all right minded Southern Californians as a local institution, or at least as belonging principally to the southern part of the state. Northern California was somewhat chagrined at the choice of the southern route, and many of the states east of the Rocky Mountains likewise felt aggrieved at the Postmaster General's decision. For although a mail service was main-

tained between Placerville and St. Joseph, Missouri, by way of Salt Lake; and a line was supposed to run from Stockton to Kansas City by way of Albuquerque, neither of these could compete successfully with the Butterfield subsidy. Partly, therefore, as a result of this sectional rivalry, and partly to meet a real economic need, one of the most spectacular of western ventures was set on foot in the spring of 1860. This was the famous Pony Express, more important, if the truth be told, from the standpoint of romance than of commercial success. The first trip of this new and short-lived enterprise was begun amid great enthusiasm. The San Francisco *Bulletin* of April 7, 1860, contained this paragraph:

"From 1 o'clock till a quarter to 4 on Tuesday last, a clean-limbed, hardy little nankeen colored pony stood at the door of the Alta Telegraph Company's office—the pioneer pony of the famous express which that day began its first trip across the continent. The little fellow looked all unaware of his famous future. Two little flags adorned his head-stall, from the pommel of his saddle hung, on each side, a bag lettered "Overland Pony Express." The broad saddle, wooden stirrups, immense flappers to guard the rider's feet, and the girth that knows no buckle, were of the sort customary in California for swift horsemen who appreciate mud. At a quarter to 4 he took up his line of march to the Sacramento boat. Personally, he will make short work of the undertaking, and probably be back in a day; but by proxy he will put the West behind his heels like a very Puck, and be in at New York in thirteen days from this writing. At 3 o'clock the letters he had to carry numbered 53; probably his whole cargo will be 75 or 80 letters at $5 each. Those which use both pony and telegraph expect to be landed in New York in nine days after quitting San Francisco."

The Pony Express riders were picked with the greatest care and represented the hardiest and bravest of western men. Each rider was provided with a complete buckskin suit with hair on the outside to shed the rain. He also carried one or more Colt's six shooters, eight inches in length; and a knife eighteen inches long. Each man rode



a stretch of one hundred miles, though on occasion riders were known to carry the mail three times the regular distance without rest or sleep. Eleven hours was the maximum time allowed for the hundred miles, and each rider was required to make at least 400 miles a week. The Pony Express, except in the hardest weather, furnished a much more rapid service than the Overland Mail, but its charges were high; it had no government subsidy, and its route was subject to serious blockades by snow.[3]

This last difficulty sometimes furnished the good citizens of Los Angeles with cause for rejoicing. When, for example, in February, 1861, the despatches brought by the Overland Mail to Los Angeles were telegraphed to San Francisco, arriving there ahead of the Pony Express, a great celebration was held in the southern metropolis in honor of the Overland Mail and the Pacific and Atlantic Telegraph.[4] And it may be remarked in passing that a celebration in the Los Angeles society of the sixties was always carried out with spirit and fervor—a large part of which, whatever the occasion, came out of kegs, bottles, and other containers of potential enthusiasm.

With the outbreak of the Civil War, the Butterfield Mail service, since it ran through southern territory the larger part of the way, was discontinued. Part of the equipment owned by the company was seized by the Confederates; and part was sold to the Central Overland California and Pike's Peak Express (C. O. C. & P. P.), a recently organized and very powerful company, operating between Salt Lake and Atchison, Missouri. The remainder of the Butterfield equipment was used to establish a line between Salt Lake and Virginia City, Nevada.

This last line was later run in connection with the Pioneer Stage from Virginia City to Sacramento, and with the C. O. C. & P. P. from Salt Lake to Atchison. A through mail and stage service from Sacramento to the Missouri was thus

[3] The rates was gradually reduced from $5 to $1.50 a letter.

[4] The line had been completed between Los Angeles and San Francisco since October 8, 1860.

at last established. A daily mail service was soon operated over this route, and a schedule maintained under which each coach made a minimum of 112 miles a day. The presiding genius of the new overland line was the widely known Ben Holladay. Obtaining an annual subsidy of $1,000,000 for the transmission of through and local mails between Atchison and Sacramento, Holladay enlarged his equipment, improved the passenger service, and extended his business so successfully that he finally had some 3,300 miles of stage lines under his control. In 1866 he sold his entire business to the Wells-Fargo interests, a company which had already gotten possession of the Pioneer Stage and the original Overland Mail.

In 1868 the government granted Wells-Fargo a yearly subsidy of $1,750,000 for a daily mail service to California; and under the incentive of this subsidy, stages were once more restored to the old Butterfield route. But the age of the railroad was at hand, and the day of the overland stage came to an end. It had served its purpose, however, by writing a new chapter in western romance and by breaking down to some degree the isolation of a state.

This chapter is based largely upon Cleland, *Transportation in California before the railroads*, in Historical Society of Southern California, *Annual Publications*, v. XI, Pt. 1.



CHAPTER XXV

BACKGROUND OF THE PACIFIC RAILROAD

On July 1, 1862, when the nation was beset by the danger and stress of the Civil War, President Lincoln signed a bill entitled "An Act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the government the use of the same for postal, military and other purposes." Ten nights later the city of San Francisco gave itself up to a magnificent celebration in honor of an event for which all California had waited with impatience or despair for nearly fifteen years. A newspaper of the time thus described the jubilation:

"A multitude of flaring lamps and torches and blue lights, with any number of banners; over fifty transparencies of red and white and other colors; fountains of yellow sparks bubbling up every here and there; meteoric white and red and blue lights shooting hither and thither from Roman candles; and rockets soaring high into the air leaving long tracks of yellow sparks and then bursting in many colored balls overhead—thus the long and brilliant procession marched in a blaze of lights, while the air was thick with smoke and loud with the music of clamoring bands, shriekings of the steam whistle, and the thunders of cannon."

Among the most interesting features of the procession were the fifty or more transparencies borne between the long lines of shouting people. From the wording of these inscriptions, it is possible to gather something of the spirit of the occasion. One read,

"The Locomotive—His prow is wet with the surge and foam of either ocean;
His breast is grim with the sands of the desert."

Another bore these lines,

"A Union of lakes—a Union of hands;
A Union of States none can sever;
A Union of hearts—a Union of hands,
And the Railroad unites us forever."

A slightly different theme, as well as a different literary flavor, was contained in such expressions as "Cape Horn be blowed—Salt Lake City the Half-way House;" and "Chesapeake Bay Oysters—six days from the water." The boosting spirit was also much in evidence, as appeared in, "California, the Watering-place of the World;" and in the following not yet accomplished prophecy,

"San Francisco in 1862—100,000 inhabitants;
San Francisco in 1872—1,000,000 inhabitants."

"The Pacific Railroad," said another, "Uncle Sam's Waistband. He has grown so corpulent he would burst without it." But of all the transparencies none better expressed the sentiment of the time than that which ran,

"The Trans-Continental Railway—Its construction no longer promised to our ear, to be broken to our hope."

For, in truth, the final enactment of the Pacific Railroad bill was the culmination of a long, vexatious, and at times apparently hopeless struggle.

Beginning in 1832, with the publication of an anonymous article in the *Emigrant*, a weekly newspaper of Ann Arbor, Michigan, advocating the construction of a transcontinental railway, the idea of a road to the Pacific was brought forward from time to time by various "visionaries," until at last it found a real champion in the person of Asa Whitney. Whitney, fresh from a two years' stay in China, had an admirable genius for sustained enthusiasm. On January 28, 1845, he laid before the Senate the first of a long series of memorials dealing with the project of a line from Lake Michigan to Oregon. During the next eight years he devoted his time,



and much of his private fortune, seeking to educate Congress and the American public to think in terms of a continent.

Whitney's plan, while providing for the construction of the road at private hands, called for the grant to the company of a strip of public land sixty miles wide and extending from one terminus of the line to the other. The land covered by this grant, however, was to be sold at a low figure to actual settlers; and the road itself upon completion was to become the property of the nation.

This proposal, afterwards modified in some important particulars, aroused much popular interest; and by the close of 1848 no less than seventeen state legislatures, besides many unofficial bodies, had petitioned Congress for its adoption. The opponents of Whitney's plan, however, even from the beginning, were about as numerous as its advocates. Their objections were based chiefly upon four grounds. The cost and difficulty of building any road across the continent, it was said, made the undertaking a stupendous piece of folly; the land grants sought by Whitney were a colossal robbery of the public; the enterprise ought to be taken wholly out of private hands and made a government affair; and, finally, the proposed route across the continent was much inferior to others that might have been selected.

With public opinion divided by these various differences, it was impossible to expect Congress for many years to sanction Whitney's undertaking, or, in fact, to unite on any plan for the construction of a Pacific railroad. The chief disagreement arose over the question of routes; for nearly every section of the country, looking to its own local interests, advocated some particular line to the west and denounced other proposals as impractical or sectional. After 1850, however, upon at least one point opinion was tolerably well united. It was generally accepted that the road should terminate in California instead of in Oregon, a change from Whitney's original plan made necessary by the acquisition of the Mexican War territory, and the inrush of population into California caused by the gold excitement.

For a time the impression prevailed throughout the

country, and even in Congress, that almost any of the transcontinental trails, over which wagons could be taken, were feasible for a railroad. But by 1852, the choice had pretty well narrowed down to four or five main routes. Of these, the line proposed by Whitney from Lake Michigan to the Columbia by way of the South Pass, with a branch to San Francisco, was the most northerly. It followed in the main the course of one of the oldest and most travelled of the western trails.

Somewhat to the south of this, running between the thirty-eighth and thirty-ninth parallels, lay a line proposed by Senator Benton, with its starting point at St. Louis and its terminus at San Francisco. Benton, who had long been interested in western transportation, especially in its relation to Asiatic commerce, was known as a vigorous opponent both of Whitney's route and of his proposed land grants. In lieu of these, the Missouri Senator urged the route mentioned above, and the construction of the road at government expense.

Part of the route advocated by Benton had been explored by his indefatigable son-in-law, John C. Frémont, who had lost a number of his men and nearly perished himself in the undertaking.[1] But even without the knowledge of the route obtained by Frémont, Benton was not one to be seriously disturbed by any lack of scientific data.

"There is a class of topographical engineers," he was wont to declare, "older than the schools and more unerring than the mathematicians. They are the wild animals—buffalo, elk, deer, antelope, bears—which traverse the forests not by compass, but by instinct that leads them always the right way to the lowest passes in the mountains, the shallowest fords in the rivers . . . and the shortest practical lines between remote points."

The line Benton proposed crossed from the upper reaches of the Rio Grande to the Grand and Green River basin by way of Coochetopa Pass (a pass Benton's opponents ridiculed

[1] This route was more fully explored in 1853 by E. F. Beale, Superintendent of Indian Affairs in California, and Gwinn Harris Heap.



as being the highest *peak* in the range), and continued almost due west until it reached the Mormon settlements of Parowan and Cedar City in southern Utah.[2] From this point the road might either turn south some two hundred miles along the course of the Virgin River, and then proceed westward to the Tejon or Walker Pass; or it could continue westward, along its original course, from the Mormon towns to the Sierra Nevadas, skirting south along the base of these mountains until a pass should be found into the San Joaquin. Branches from the main railroad were to be built to Santa Fé, Salt Lake City, and the Columbia.

Another transcontinental route, persistently urged and popular in many quarters, traversed the state of Texas to El Paso, followed the Gila to the Colorado, and thence crossed the desert to San Diego over the course followed by Colonel Emory in 1847. This was commonly known as the southern, or thirty-second parallel route, and was afterwards made use of in part by the first Overland Mail. A road along this line was naturally favored by the southern states because of what it meant to their economic development. The charge that slavery dictated this choice, though often made, is scarcely tenable. Entirely apart from sectional interests, the route had much to commend it because of its easy grades and almost complete freedom from snow. These advantages, however, were somewhat offset by its additional length, compared to the more direct routes, and the desert territory through which it passed.

In addition to these three main routes—the Northern, the Central, and the Southern—there were a number of others of somewhat less importance.[3] Among the most likely of these minor routes was one especially championed by Senator Gwin of California.[4] From San Francisco it ran down the San Joaquin, crossed the Sierras through Walker Pass, and continued along the thirty-fifth parallel to Albuquerque, New Mexico. Thence it turned south to a

[2] The elevation of this pass was 10,032 feet.

[3] One or two of these had their terminus as far south as Masatlan and Guaymas on the Gulf of California.

[4] See Appendix D.

point near Santa Fé. A branch road was thence to be built along the old Santa Fé Trail to Independence; but the main line, according to the plan, was to take a more direct course to Fulton, Arkansas. This terminus was to be the common meeting place of roads running to Memphis and New Orleans. Branch lines to Council Bluffs and Austin, Texas, were also proposed at other points along the route; and in California, a road was to be built up the Sacramento to Oregon.

Still another proposed route followed Whitney's original line as far as the South Pass; but turned to California instead of Oregon, taking the course of the Humboldt River from a point near Salt Lake, and crossing the Sierras by one of the northern passes.

From this general summary it will be seen that railroad routes to California were plentiful enough on paper in the early fifties to satisfy the demands of every section. No intelligent choice could be made between them, however, from the data then available, since most of this was too general in character to satisfy the demands of railroad engineering. To meet this necessity for more accurate and detailed information, Congress at last authorized an official survey of the various routes.

The work was begun in 1853 under the direction of Jefferson Davis, who was then Secretary of War. For more than two years it was carried on so vigorously and efficiently that nearly all the routes subsequently followed by trans-continental roads were carefully reconnoitered and their feasibility for railroad purposes pretty accurately determined. In addition to this work, for which they were specifically organized, the surveying corps also gathered a vast store of material relating to the history, geology, botany, and ethnology of the trans-Mississippi west.

The surveys covered five principal routes. The most northerly lay between the forty-seventh and forty-ninth parallels; [5] the second ran between the forty-first and forty-second parallels; the third between the thirty-eight and

[5] Surveyed by Gov. I. I. Stevens.



thirty-ninth parallels; the fourth along the course of the thirty-fifth parallel; and the fifth near the thirty-second parallel.

It will thus be seen that the operations of the reconnoissance parties extended from the Mississippi Valley to the Pacific, and almost from the Canadian line to the Mexican border. Except as their labors actually touched California, however, space cannot be given in the present volume to the explorations of these parties. Among the most important contributors to the success of the undertaking, as it related to California, were A. W. Whipple, R. S. Williamson, J. G. Parke, H. L. Abbott, and E. G. Beckwith, the successor of the unfortunate Gunnison who was killed by the Indians on the Sevier River.

Beckwith's survey covered the region from Salt Lake to the upper end of the Sacramento Valley. After leaving Salt Lake, his party followed the familiar emigrant route along the Humboldt; but at its sink, instead of turning south to the Truckee, the company took a more northerly course, mapping out two possible lines across the Sierras. One of these led through Madelin Pass, Round Valley, and the Pitt River Cañon. The other, a little further south, began the passage of the mountains at Honey Lake, crossed the summit by way of Noble Pass, and struck a tributary of the Sacramento, known as Battle Creek. Both routes terminated at Fort Reading, whence the route down the level valley of the Sacramento was already sufficiently well known.

Whipple's survey, on its part, covered much of the route afterwards adopted by the Atchison, Topeka, and Santa Fé. Leaving Fort Smith on the Arkansas, the line ran to Albuquerque, New Mexico, and thence to the Colorado, by way of Zuñi, Aztec Pass, and Bill William's Fork, through a territory previously but little known. Leaving the Colorado a short distance above the Needles (so called because of certain mountain promontories), Whipple mapped out a feasible immigrant road to the Mojave. He then followed this stream until the Old Spanish Trail branched off to the Cajon Pass above San Bernardino. An examination of this

pass, so long used by Santa Fé traders and fur hunters, showed it altogether practical for a railroad; and it afterwards became one of the great gateways for transcontinental traffic.

The southern, or thirty-second parallel route, had already been in part surveyed by Lieutenant-Colonel Emory, first while serving in General Kearny's expedition and afterwards as a member of the United States–Mexican Boundary Commission. But a more extended examination of the route was made by the surveys of 1853 and 1854. The line between the Red River and the Rio Grande was surveyed by Captain John Pope. From El Paso the work was carried westward by Lieutenant Parke to the Pima villages on the Gila River in Arizona. Emory's survey of the boundary line was considered adequate to bridge the gap between this point and the Colorado. West of the Colorado the work was entrusted to Lieutenant Williamson.

While the routes leading to California were thus being examined, other parties were making a reconnoissance of possible routes within the state itself. The most important work along this line was done by R. S. Williamson and his chief aide, Lieutenant Parke. The first task assigned Williamson was to discover a feasible route from the Gila River to San Francisco Bay, connecting with the thirty-second and thirty-fifth parallel surveys east of the Colorado. In the course of this work, Williamson made a careful examination of the mountain passes that led eastward from the lower San Joaquin Valley, and of those through the Sierra Madre Range to the coast.

Williamson's expedition left Benicia July 10, 1853, and entered the San Joaquin by way of Livermore Pass. Crossing to the east side of the valley, the party took the usual route to the delta of the Kaweah, where they secured the services of Alexander Godey, the famous guide who had given such material aid to Frémont at an earlier date.

Walker's Pass was the first objective of the expedition. Contrary to popular impression—for this pass had long been described as the logical gateway through the Sierras—it was



found to be wholly impractical for railway purposes on account of the difficulty of its westward approach. Because of this drawback and the position of the pass relative to the location of the proposed routes, Williamson pronounced it "the worst of all the known passes in the Sierra Nevadas" for a transcontinental railway.

Though disappointed in the character of Walker's Pass, Williamson was agreeably surprised to find that the Tehachapi offered a satisfactory outlet for a railroad from the San Joaquin to the Great Basin. He next examined the Tejon Pass, but found it, like Walker's, very far from satisfactory. The Cañada de las Uvas (Grape Vine Cañon), opening into the Tejon, furnished a much more practical route between the San Joaquin and the Mojave Desert. This pass and the Tehachapi Williamson accordingly favored in his report.

Williamson's next problem was to discover an outlet through the Sierra Madre Range, which lies between the Mojave Desert and the sea coast. A wagon road had already been built from Los Angeles by way of San Fernando into the valley of the Santa Clara. Thence it followed the sinuous course of San Francisquito Cañon, passed by Elizabeth Lake, and entered the Tejon. Upon examination, however, the San Francisquito Cañon proved impractical for a railway. But east of the San Francisquito lay another cañon, which an extended survey showed to be well adapted to the desired road. This cañon, known to the Californians as Soledad, and now used by the main line of the Southern Pacific, Williamson called the New Pass.

The New Pass furnished an outlet from the Mojave as far as the Santa Clara River. From this valley a line could be run without too great difficulty to Los Angeles. It was also believed that the course of the river would furnish a practical route for the extension of the road toward the Salinas Valley and San Francisco. Further east of Soledad Cañon, the Cajon Pass offered a gateway between San Bernardino (with an easy connection to Los Angeles) and the proposed Mojave River-Colorado line.

One of the most important contributions to the surveys in California was made by Lieutenant Parke, who examined the great San Gorgonio Pass lying between the two highest peaks of the Sierra Madre Range—Mt. San Gorgonio (or Greyback) and San Jacinto. This pass, pronounced by Williamson to be the "best pass in the Coast Range," (as indeed it easily is), furnished a feasible route from San Pedro and Los Angeles down the valleys, since known as Coachella and Imperial, to the junction of the Gila and the Colorado Rivers. It thus afforded a practical outlet for the proposed southern, or thirty-second parallel route to the Pacific. It was also hoped that a line might be run from the Colorado, by way of Warner's Pass, or through some similar gap in the mountains farther south, to San Diego; but upon examination, neither Warner's nor any other pass in the locality proved suitable for the desired line.

As a result of these investigations, Williamson concluded that a road built from the Mississippi to the mouth of the Gila would reach the Pacific most easily by way of San Gorgonio Pass, San Bernardino, and Los Angeles. If it were decided to make San Diego the terminus, the line could be extended south along the coast after leaving the San Gorgonio Pass. This was the only feasible plan of reaching San Diego, since the mountains made a more direct approach impractical.

Three possible routes presented themselves for extending the road to San Francisco. The line might run northward along the Colorado from the Gila, then turn westward to the Mojave, and enter the San Joaquin by way of the Tehachapi. Or, having reached Los Angeles by the Cajon or San Gorgonio Pass, it might either be built northward along the coast, or else be carried back to the Mojave Desert by way of Soledad Cañon, and extended to the San Joaquin through the Tehachapi. Having reached the San Joaquin, the line could find an outlet through the Coast Range by the Pacheco Pass to San José.

Lieutenant Parke was in charge of the investigations covering the route along the coast from Los Angeles to San



Francisco. His examination was carefully made, but the details cannot be entered into here. He thought the road might be built for $20,000,000 and pointed out the beneficial effect it would have upon the development of rich agricultural lands between Los Angeles and Monterey. A half century elapsed, however, before the Southern Pacific, following Parke's suggestions, completed this vital link between the north and south.

The careful surveys of Williamson and Parke in Southern California were duplicated in the northern part of the state the following year (1855). Williamson was again put in charge of the work; but as Parke was busy elsewhere, Lieutenant H. L. Abbott was detailed to act as chief assistant. The main object of this investigation was to discover a feasible route between the Sacramento Valley and Oregon, either by way of the Willamette River or the Deschutes. The Deschutes route involved a recrossing of the Sierra Nevadas along the earlier line mapped out by Beckwith, and a survey of the region lying between the eastern outlet of Noble's Pass and the Klamath River. The course of this stream was then followed for some distance, until a low range of hills allowed the party to cross to the Deschutes. The valley of this river, which was supposed to furnish an outlet to the Dalles, after a time proved impossible for railway purposes; and though a pass was afterwards found leading into the Willamette Valley, the route as a whole proved too difficult and the country too sterile to make the construction of a railroad practical.

The second line marked out for survey between California and Oregon was much more favored by Williamson and Abbott. It tapped the rich mining regions of Shasta and Trinity Counties, and ran through the fertile Umpqua, Rogue, and Willamette Valleys. On this route the chief difficulty was presented by the mountainous country lying between Shasta City and Yreka. Indian troubles, however, unfortunately prevented a careful examination of much of the region; but Abbott's conjecture that the route would prove eminently practical upon further investigation, was

later verified by the construction of the Oregon and California Railway from San Francisco to Portland.

The Pacific Railroad Reports, which embodied the findings of Whipple, Gunnison, Stephens, Beckwith and the rest, showed plainly enough that no insurmountable difficulty had been placed by nature in the way of a railroad to the west. But unfortunately for the immediate construction of such a road, the same reports showed that it might follow at least four routes across the continent, thus keeping alive that sectional rivalry which had already proved such a serious impediment to the railway bill. The selection of the southern route by Secretary Davis as the most desirable for railway purposes, did little to mend the situation. He was charged with pro-slavery and sectional motives, though his choice was wholly justified from the engineering and financial standpoint, and the battle between the various routes went on as vigorously and indecisively as before.

In this contest the southern route scored two important gains. One, the acquisition of the Butterfield Overland Mail, has already been spoken of. The other, which transpired some years before the Overland Mail, (while in fact the railroad surveys were still in progress), was the so-called Gadsden Purchase. This further acquisition of Mexican territory was urged because it was found that a railroad following the general line of the thirty-second parallel would be compelled at times to dip south of the border, owing to topographical difficulties, and run for part of its course through the state of Sonora.

To keep the road wholly on American soil, President Pierce therefore sent Colonel James G. Gadsden of South Carolina to negotiate with Mexico for the desired territory. Gadsden, himself a railroad president and one of the earliest advocates of a line to the Pacific, had suggested in 1845 that its terminus be made either Mazatlan or San Francisco. He was an ardent enthusiast for the southern route, and succeeded without great difficulty in securing Mexico's consent to the transfer of some 45,000 square miles, lying just south of Arizona and New Mexico, for $10,000,000. After a good



deal of debate, the treaty was ratified by the United States Senate and went into effect June 30, 1854.[6]

While the federal government was thus concerned with the question of a railroad to the Pacific, the people of California were also busily engaged in agitation for the project. Their newspapers were continually harping upon it; mass meetings and conventions were called to further the enterprise; and California Congressmen and Senators were made to feel that the chief end of their political life was to secure the enactment of a railroad bill.

The State Legislature similarly showed great enthusiasm for the enterprise. Much of this, expressed in oratory and memorials to Congress, did little good; but a few practical results were accomplished by other means. Most important of these was an examination of that portion of the Sierra Nevadas lying between the American River and Carson Pass, for the purpose of constructing an immigrant road that later might serve as a railway route across the mountains. This investigation, carried out under the Surveyor General's orders by Sherman Day and George H. Goddard (whose name is still retained by one of the highest peaks in the Sierras), served materially to supplement the surveys previously made by the federal government.

In California, however, as in the nation at large, sectional rivalries prevented general support of any one route. San Diego, Los Angeles, and San Francisco each had its ambitions to become the railway center of the west; and the result was a frittering away of energy in urging local claims that might better have been spent in concerted action. This lack of harmony among Californians seriously weakened the railroad cause at Washington, and was one of the reasons for the long years of delay between the time of the completion of the surveys and the actual construction of the road.[7]

[6] The Southern Pacific for much of its course from Yuma to El Paso now runs through this Gadsden Purchase. The treaty also provided for certain transit rights across the Isthmus of Tehuantepec.

[7] Public opinion held the Pacific Mail Steamship Company largely responsible for the failure of Congressional action.

So, in spite of a need which grew more urgent every year, various adverse factors continued to defeat the Pacific railroad, until the patience of the people of California was almost gone. In 1859 a San Francisco editor summed up this popular feeling in the following exasperated protest:

"If ever a people belonging to, and forming part and parcel of a great nation, were subject to a downright persecution from the government to which they owe allegiance, the people of California are the ones of all others that furnish the most prominent and striking example of such treatment. We are wholly at the mercy of a gang of political harpies, who care no more for the interests of California than they do for those of the wild tribes of the interior of South Africa. . . . If all that we have given to the world thus far, all the benefit that California has bestowed upon the rest of the Union, all that she is yet to become are to count for nothing in the estimation of the Government, then let it be so understood, and let us cast about us and see what we can accomplish single handed."

If this editorial fairly represented public opinion on the coast, as it did without much question, then political necessity, as well as economic expediency, demanded the enactment of a railroad bill. The outbreak of the Civil War brought the issue to a climax. The federal government at last saw that the railroad must be built if California were to be kept within the Union. At the same time, since the southern route was eliminated from consideration because so much of it lay within Confederate territory, the question of the location of the road was greatly simplified. Secession and war thus cleared the way for the eagerly awaited, but long delayed, Pacific Railroad.

The chief authorities consulted in the preparation of this chapter were:

1. Explorations and surveys for a railroad from the Mississippi River to the Pacific Ocean. [Pacific Railroad Reports] (Washington, 1855).

2. Albright, George Leslie, *official explorations for the Pacific railroads*, University of California, *Publications in History*, v. XI.



CHAPTER XXVI

THE CENTRAL PACIFIC RAILROAD

THE Pacific Railroad Bill, which closed the long struggle for a transcontinental railway, provided that the road should start on the one hundredth meridian, between the Republican and Platte Rivers, and proceed westward along "the most direct, central, and practical route to the western boundary of Nevada, there to meet and connect with the line of the Central Pacific Railroad Company of California."

The bill thus authorized the construction of two distinct roads; the one, designated the Union Pacific, was to reach from Omaha to the California boundary; the other, known as the Central Pacific, was to be built eastward from Sacramento until it crossed the Sierra Nevada Mountains. It is the purpose of this narrative to deal only with the construction of the Central Pacific (except where the history of the two roads becomes inseparable), and leave the fascinating, but somewhat intricate affairs of the Union Pacific and Oak Ames' Credit Mobilier, to other writers.

The Central Pacific found its origin in the enthusiasm of one man, and owed its completion to the determination and shrewdness of four. A civil engineer, named Theodore D. Judah, had come to the coast in 1854 to lay out a pioneer railroad called the Sacramento Valley line, which ran between the city of Sacramento and Folsom. Before Judah was through with this local road, he had been caught by the challenge of the Sierras and began to plan the conquest of the mountains.

Within the next few years, often in the dead of winter when the snow lay fifteen or twenty feet deep on the higher levels, Judah made twenty-two examinations of possible routes across the Sierras; and in the intervals between these

trips tried to organize popular backing for his undertaking. The California public, so far as mere talk was concerned, was full of enthusiasm for the road; but for a long time Judah's efforts did not bring out any financial support.[1] He continued his agitation, however, as vigorously as ever, and at last secured the tangible assistance the enterprise so badly needed. This was the incorporation, June 28, 1861, of the Central Pacific Railroad Company of California with a capital stock of 85,000 shares of a nominal value of a hundred dollars each.

The officers of the new company were all engaged in business in Sacramento, and from the very beginning the Central Pacific became more a partnership affair than a corporation. Leland Stanford, nominated but ten days before the organization of the company for the governorship of the state by the Republican party, and destined to win the election the following September, was chosen president; Collis P. Huntington became vice-president; Mark Hopkins, treasurer; and James Bailey, a jeweler through whom Judah had become acquainted with Stanford and Huntington, secretary. Judah himself was chosen chief engineer.

The three men first mentioned, together with Charles Crocker, whose name intentionally did not appear as one of the company's directors, were in reality the Central Pacific Railroad. They afterwards became the most powerful railroad group in the west, and for nearly a generation were the controlling factor in the state's economic development. At this time, however, they were neither very rich nor very widely known, and the task to which they had put their hands was overwhelmingly great.

Stanford, Hopkins, and Crocker were all born in New York; and Huntington, though a native of Connecticut, had lived most of his life in the same state. Stanford and Hopkins, as young men, were educated for the law; but

[1] A great railroad convention was held at San Francisco in 1859 at the call of the State Legislature, to which every county in California, Arizona, Washington and Oregon was requested to send delegates. Its sessions, presided over by John Bidwell, lasted for several days, but accomplished little or nothing of a practical nature.



Huntington and Crocker had known little schooling of any kind, except the schooling of poverty and hard work. All four reached California at the time of the gold rush, and eventually became the leading merchants of Sacramento. Stanford and Crocker were in the dry goods trade; while Huntington and Hopkins, more than a decade before, had formed a mutually satisfactory partnership to deal in hardware and miner's supplies.

From the time these four men joined forces in the organization of the Central Pacific until the combination was finally dissolved by death, they worked together as a unit, opposing a solid front to all opposition, and never allowing personal disagreements or jealousies to defeat their purpose. This perfect team work largely accounted for their phenomenal success. It is remarkable, however, considering the character of the men, that they should have maintained such harmonious relations over so many years, for with the possible exception of Hopkins, all four were men of determined wills and vigorous opinions.[2]

One of the reasons for the successful coöperation of the four, was the wise division of labor very early made between them. Almost from the outset Crocker was put in charge of the actual construction of the line. Huntington became the company's eastern representative, attending to national legislation, purchasing material, and securing funds. Stanford handled state politics and managed the financial end in California; and Hopkins, with his "keen, analytical mind," served as a valuable advisor for the others, and particularly aided Stanford in local matters.

When Judah presented his plan to these men in 1861 for a railroad across the Sierras, he was able to hold before them two inducements which made the enterprise less foolhardy from the financial standpoint than it seemed on its face. The first of these was the prospect of securing government subsidies of various kinds; and the second, the certainty

[2] Huntington once said, "Crocker attended to the construction of the road, and he was a very earnest and good man. We did not agree in all things—*he erred in judgment sometimes.*"

of monopolizing the California-Nevada trade by the proposed road, even though the line should stop far short of its announced goal.

This Nevada trade, at the time of the Central Pacific's inception, was a prize worth seeking. Two years before, the great Comstock Lode had been discovered in the Washoe Mountains and a mining boom of tremendous proportions was already in progress. Nearly all the food and necessaries for the thousands who flocked to Carson City and Virginia City, as well as the tools and heavy machinery which were required for the mining operations, had to be freighted across the mountains. Literally tons of bullion were also being brought back annually to San Francisco for minting or shipment east; and in addition, the passenger traffic to and from the mines was a bonanza in itself.

Some idea of the value of this Nevada business, which the organizers of the Central Pacific purposed to secure, may be seen from Judah's report in 1862 on the Placerville-Carson road. This, the most famous stage road of northern California, ran from Placerville by way of Johnson Pass and Kingsbury Grade to the Washoe Valley. Over it, in the year of Judah's report, a hundred and twenty tons of freight were carried daily, at rates varying from six to eight cents a pound, yielding an annual total of five and a quarter millions of dollars. A half million dollars additional were received from passenger fares; and Wells-Fargo transported over two hundred thousand pounds of silver bullion not included in the figures for ordinary freight. If the Central Pacific, by building only part way across the mountains, could capture the greater part of this trade, together with that which passed over other stage roads, its directors might well afford to risk even the heavy initial cost of construction.

The second inducement held out by Judah—that of federal subsidies—was of more immediate importance than even the Nevada freight; for it was manifestly impossible to provide the necessary finances for the road without some form of government assistance. In securing this federal aid, the backers of the Central Pacific were by no means dis-



appointed, and an essential feature of the Pacific Railroad Bill, which Bailey and Judah helped to pass through Congress, was the grants of land and credits it bestowed upon the railroad companies. These were sufficient in themselves to tempt Huntington and his companions to begin actual operations; but two years later, by the Act of 1864, the government proved itself even more generous, and materially increased the subsidies carried in the original bill of 1862. As a result of these two bills, the builders of the Central Pacific stood to receive 12,800 acres of government land for each mile of tract constructed, and in addition were allowed a credit in United States 6% bonds, payable at the end of thirty years both as to principal and interest, of from $16,000 to $48,000 per mile, depending upon the nature of the ground over which the line ran.

Following the example of Congress, the California Legislature also passed various measures to aid the Central Pacific, enacting as high as seven bills in a single session on its behalf. The most important grants were made in 1864. Legislation of that year gave the company the right to issue $12,000,000 in first mortgage, twenty year, 7% bonds, and provided that the state should pay the interest for twenty years on the first $1,500,000 issued, or a total of $2,100,000. A fund known as the Pacific Railroad Fund, was created for this purpose by the levy of a special tax of eight cents on each hundred dollars of taxable property throughout the state.

County subsidies were also granted to supplement those of state and nation. Placer County subscribed for $250,000 of Central Pacific stock, issuing bonds in payment, and under a similar arrangement Sacramento County pledged $300,000. The company also obtained a valuable right of way, certain portions of the water front, and other public lands in the city of Sacramento. San Francisco, after a long struggle fought in the State Legislature, at the polls, and before the courts, donated $400,000 outright to the main road, and $200,000 to its subsidiary, the Western Pacific. The latter road, connecting the Central Pacific with San Francisco

Bay, by way of Stockton, Niles, San José, and Oakland, also received valuable aid from San Joaquin and Santa Clara Counties; and enjoyed, besides, the federal subsidies provided by the Act of 1864.

Even though these various government subsidies were of princely proportions, the fate of the Central Pacific for two years hung in the balance. From the beginning, the enterprise was foredoomed to failure by the prophets, and even its sponsors were not over hopeful of the outcome. It was this skepticism that led Huntington to object when others planned a celebration at the laying of the first rail.

"If you want to jubilate in driving the first spike here," said he, "go ahead and do it. I don't. These mountains look too ugly and I see too much work ahead. . . . We may fail and I want to have as few people know it as we can, and if we get up a jubilation, a little anybody can drive the first spike [but] there are many months of hard labor and unrest between the first and last spike."

These "months of hard labor and unrest between the first and last spike," which Huntington foresaw, not caring to boast as he was putting his armor on, were even worse than the builders anticipated. The difficulties of construction, of financing, of securing material, of combating opposition, of securing favorable legislation, were tremendous, and would early have staggered less resourceful or less energetic men.

The route chosen by Judah, and supported by him against all subsequent attack, followed in the main the old immigrant road from Sacramento to Donner Pass by way of Auburn, Clipper Cap, and Colfax, or Illinois Town, as it was then called.[3] From the summit of the mountains the line descended along the general course of the Truckee River to the Nevada plains. A few miles beyond Colfax lay Dutch Flat, from which Judah proposed to build a wagon road to Carson Valley, thus diverting the Nevada traffic to the Central Pacific, until the railroad could be completed to the California boundary.

[3] Judah gave at one time thirty reasons for his choice of routes.



The selection of this route led to one of the first and most violent attacks upon the Central Pacific. Rival lines, such as the San Francisco and Washoe, and the Sacramento Valley, whose history cannot be traced here, joined with an already outraged San Francisco and Placerville public to denounce the whole project. The road was dubbed the "Dutch Flat Fraud," and its builders were accused of securing government subsidies for a line they had no intention of completing across the mountains. Whether or not there was truth in these charges, the fact remains that the Central's wagon road brought to it most of the Nevada trade and enabled it to pay very large returns while still under process of construction.

Rival opposition was the least of the Central's difficulties. The Sierra Nevadas opposed a barrier nearly 150 miles wide, rising at times to an elevation of 7,000 feet. To overcome this, an army of workmen and teams had to be organized, sheltered, fed, and paid. An incalculable amount of grading, filling, trestle building, cutting, and tunnelling, much of the way through solid rock, had to be accomplished. Mile upon mile of snowsheds had also to be built in the higher altitudes to protect the track in winter, so that material could later go forward for the use of construction gangs hurrying the work across Nevada. The responsibility for this phase of the work fell upon Charles Crocker, who as head of the Charles Crocker Construction Company (afterwards superseded by the Contract and Finance Company), was in full charge of building operations.

In reality the companies just mentioned were only the Big Four, and Edwin B. Crocker, operating under another name; for Huntington and his associates saw the advisability from many standpoints of keeping the road's construction in their own hands, as well as the financial advantages to be gained from such an arrangement. But unlike the Credit Mobilier, which served the chief stockholders of the Union Pacific in similar capacity, the construction companies organized by the California builders, whether in connection with the Central Pacific or any of their other roads, never

revealed the details of costs and profits to inquisitive Congressional committees.

Next to Huntington, Charles Crocker had the heaviest responsibility of the four. Upon his shoulders fell the physical burden of the undertaking. The best testimony to his ability is that, along with the chief engineer, Montague, who succeeded Judah upon the latter's death, and Strobridge, who served as superintendent of construction, he carried the road over every difficulty mountain, desert, and man could place in its way. When white labor failed or became difficult to handle, he brought in thousands of Chinese coolies, and used these "Crocker's Pets," as they were called, without mercy to himself or them. Even the winter snows were not allowed to check his impetuous ambition.

While Crocker was carrying forward the construction work, Stanford, aided by Hopkins, and an occasional visit from Huntington, was adroitly handling the state and local legislation necessary to secure the subsidies mentioned in a previous paragraph. In the east, meanwhile, Huntington gave himself to three great tasks, any one of which was beyond ordinary capacity. The first was to dispose of enough Central Pacific stock and bonds to finance operations; or, failing that, to borrow sufficient money on the personal security of himself and his associates to keep the road from lagging. His genius along this line was so marked that even in the stress of the Civil War, and its aftermath, he enabled the road to carry a floating debt of $7,000,000, for none of which it paid more than 7% per annum, though the Union Pacific was charged a much higher premium, and the common interest rates in California ranged from two to three per cent a month.[4]

Besides financing the road, Huntington had also to keep it supplied with material. This meant the purchase of every foot of rail used in the track, of locomotives, of passenger

[4] At one time the single house of William E. Dodge & Company held the personal notes of Huntington and his associates for $3,250,000, so confident were the New York bankers of Huntington's ability to meet the Central's obligations.



coaches, of flat cars, spikes, powder, shovels, and all other implements from eastern manufacturers (since California at that time had nothing in the way of steel and iron foundries), and the shipment of this material either around the Horn or across Panama. This was an especially difficult task while the war lasted. The government had prior right to most of the supplies required by the railroad; and even when cargoes could be secured, ships were not easily found.

During the war, freight rates increased from eighteen to forty-five dollars a ton; marine insurance, owing to the menace of southern privateersmen, rose from two and one-half to ten per cent. Railroad iron trebled in value. Locomotives, rolling stock, everything in fact the Central Pacific required, had to be bought at increased prices. Even after the war, the rivalry of the Union Pacific, in the market for the same material, kept up the cost of rails and locomotives and made it hard to fill orders. Yet Huntington's genius overcame these difficulties and kept a steady stream of supplies flowing from the Atlantic sea board to the construction camps in the Sierras.

The following is a typical example of the methods by which Huntington accomplished his ends. In 1866 he succeeded in stealing a march on the Union Pacific in the purchase of 66,000 tons of rails, which the latter road badly needed, and at the same time defeated a threatened combine on the part of the steel mills to increase the price. To get these rails to California required a large number of vessels, so Huntington went to a gentleman named E. B. Sutton to charter the necessary bottoms. The details of this interview are best given in Huntington's own words:

"I said, 'Well I want to get a good ship—a good steady ship—safe!' I said, 'You go out and run around and give me a list of what you can find.' He came in with three or four; he said, 'You can have this one for so much and this one for so much—such a price,' said I; 'It is too high, I can't take one of these ships.' 'I am in no hurry,' said I. 'Ships are coming in all along.' Well, he came back; he went out three times and he came back with twenty-three ships. . . I got them all down whilst talking. 'Well,' said I

suddenly, 'I will take them.' 'Take them,' said he, 'take what?' Said I, 'I will take those ships if they are A1.' 'Well,' said he, 'I can't let you have them. I thought you wanted only one.' He said, 'I will have to have two or three of them myself.' Said I, 'Not of these you won't.' Well, those ships took about 45,000 tons of rails. Mr. Sutton told me afterwards, 'Huntington, you would have had to pay $10.00 per ton, at least, more, if I had known you wanted all those ships. That would have been $450,000."

Huntington's third task in the east lay in the field of politics. At this time, or a little later, the Central Pacific maintained an agent in Washington to whom they paid a salary of $20,000 and allowed an unaudited expense account of twice that amount. But this man was only a subordinate. Huntington himself was the real director of railroad affairs in Washington. What he accomplished in this capacity was more important from the standpoint of the Central Pacific than any of his other work.

Aside from the subsidies earlier granted by Congress, one of the measures of most advantage to the California railroad was passed in 1866. By the Act of 1864, the eastern limit of the Central Pacific had been fixed 150 miles east of the California-Nevada boundary. The territory beyond that line belonged exclusively to the Union Pacific. The bill, indeed, went even farther and permitted the Union Pacific to continue its operations westward, if it reached the junction point ahead of the Central Pacific. This clause was of course obnoxious to the backers of the Central, who were secretly determined to carry their line entirely across Nevada into Utah, and enter Salt Lake City ahead of the Union Pacific.

To object to this feature of the bill at the time, however, might have defeated the entire measure, with its large subsidies from the federal government. Consequently Huntington accepted the objectionable provision and bided his time, until by the enactment of the bill of 1866 he succeeded in releasing the Central from its limitations and in obtaining the desired right to build eastward until a junction should



be made with the Union Pacific. The measure was a perfectly legitimate piece of legislation and deserved the large support which it received in Congress. But Huntington had taken no chances of its defeat by rival lobbyists. In later years, in his own brusque way, he told the following incident relative to the passage of the measure.

"A Congressman by the name of Alley from Massachusetts when the Bill passed, came over to me. . . . he says, 'Huntington,' he says, 'There must have been great corruption, great money used or you could not have passed that Bill.' 'Well,' I said to him, 'Mr. Alley, I am surprised to hear you talk in that way of your associates here. I am very much surprised, but I will be frank with you and tell you that I brought over half a million dollars to use every dollar of it if necessary to pass this Bill. I got a large majority of them I knew that was in favor of it without the use of one dollar. We still had our means and wanted to get every vote, so I went into the gallery for votes, one head after another, I sat right there, I examined the face of every man and I am a good judge of faces; I examined them carefully through my glass. I didn't see but one man I thought would sell his vote and you know devilish well I didn't try that—so I didn't use one dollar."

Of course Huntington's ability did not always secure the enactment of favorable measures or prevent the passage of bills opposed to the Central's interest. One act, for example, was carried through Congress fixing the gauge of the road at four feet, eight and one-half inches, after Huntington had convinced Lincoln that five feet was the proper width, and had secured the issuance of an executive order to that effect. But even in this case Huntington turned defeat to his advantage, and drove a satisfactory bargain with his opponents on the issue.[5]

[5] By a presidential decree of January 12, 1864, the western base of the Sierra Nevada Mountains was officially fixed "where the line of the Central Pacific Railroad crosses Arcade Creek in the Sacramento Valley." Opponents of the railroad pointed out that this decree actually moved the mountains twenty miles west of their true location across a comparatively level plain, thus increasing the government's loan to the road from $16,000 a mile to $48,000 a mile, for the twenty miles involved.

With the passage of the bill permitting the Central to enter Union Pacific territory east of California, the two rivals began a headlong race unique in railroad history. In this contest the Central was contending for a double prize. Every mile of track laid east of the Sierras brought the government subsidy of 20 sections of land and a credit of $32,000. Equally important was the revenue to be derived from the Utah traffic, if Salt Lake could be reached before the Union Pacific built so far westward as to shut its rival away from the Mormon settlements. Huntington, indeed, had set a much farther goal for the Central Pacific's eastern terminus, and later blamed the apathy and opposition of San Francisco for holding the road back, when, with proper support in California, it might have reached the Green River and controlled the traffic of all Utah, Wyoming, and Idaho. Had this object been realized, one might also add, the California road would have been relieved from that thorn in the flesh, the Oregon Short Line; and the building of the Southern Pacific to New Orleans, and of the San Francisco-Portland line might have been delayed for many years.

The stirring details of the race between the Union and Central Pacific, the one building eastward across the Nevada and Utah deserts, the other progressing westward from the Black Hills, cannot be told here at length. On the one side was a corporation backed by almost limitless resources, well entrenched in federal politics, transporting its material from a comparatively near base of supplies over its own line, and relying pretty largely upon Irish labor for construction purposes. On the other side were four men, by this time well enough supplied with funds, skillful as their rivals in the use of political machinery, compelled, however, to ship supplies by long sea voyages, using Chinese coolies by the thousand for grading, track laying, and the innumerable tasks of railroad building, maintaining a secret watch over their rival's affairs, hoodwinking the agents he sent out, stripping the markets wherever possible of material to force the Union's construction crews to stand idle, and obtaining



government bonds for sixty miles of track to which their opponents laid claim. Around these elements centered the greatest race in the history of railroad construction.

The two roads met at Promontory Point in Utah, an insignificant place some fifty-three miles west of Ogden. Here, on the 10th of May, 1869, in the presence of a thousand spectators, the two tracks were joined; silver and gold spikes were driven in a silver-bound tie of California laurel; speeches were made; an engine from the east touched front with an engine from the west; and the old, old dream of linking the Pacific and Atlantic Oceans became a reality.

"Sir," said the telegram sent by the participating officials of the two roads to President Grant, "We have the honor to report that the last rail is laid, the last spike is driven. The Pacific Railroad is finished."

Finished, too, for California, was much that had made her previous history—Slow going ox wagons no longer crossed the Sierras; the mining counties dwindled in population, while the agricultural regions and the cities took on increasing life; great land grants of early days were gradually broken up to make room for a rapidly enlarged population; the cattle baron retired to the foothills and out of the way valleys to make way for grain fields, orchards and vineyards; the San Joaquin and Sacramento Valleys began to fulfill the old prophecies that one day they would become the granary of the Pacific; California products made their appearance in eastern markets; and eastern tourists daily enriched the California merchants. Travel became a source of unity and culture; thousands of persons, long stranded on the coast because of the difficult overland journey, rushed eagerly back to their old homes in the States; and after a brief stay, rushed even more eagerly back to the west, tenfold more enthusiastic for California than ever they had been before. Real estate booms grew to be familiar phenomena; labor problems thrust themselves upon the public notice; the state government failed more and more to meet the demands of its citizens; society and business became more complex.

On every side new forces—social, economic, political—marked the development of a new day.

In this period of transition the builders of the Central Pacific played a foremost part; for the celebration at Promontory Point was for them the beginning rather than the end of a great task. The line from Sacramento to Ogden was only a single link in a great system yet to be constructed. By means of the Western Pacific, a line running from Sacramento to San José, with a branch from Niles to San Francisco Bay, known as the San Francisco, Oakland, and Alameda Railroad, the Central had an outlet to tidewater. Later, the road got control of most of the Oakland water front and sought to occupy Yerba Buena Island. Deeming it necessary to control every avenue of approach to the city of San Francisco, the Central next absorbed the California Pacific, which ran from Sacramento to Vallejo, and carried it on to Benicia, where ferry connections were established with Port Costa, thus forestalling any competition from that approach to San Francisco. Similarly, the San Francisco and San José Railway, which had been built down the peninsula largely through subsidies provided by the two cities whose name it bore, passed under control of the Central directors and completed the desired monopoly of San Francisco trade. The process was aided by a grant from the State Legislature of sixty acres of land for terminal facilities on the shore of Mission Bay.

While these local developments were in progress, the Central Pacific found itself threatened in two dangerous quarters. The Union Pacific, stopped at Ogden by the Central from proceeding to California, sought an outlet to the Pacific by way of Portland. The building of the Oregon Short Line thus threatened to divert from the Central most of the Oriental trade. By running a line of steamers from Portland to San Francisco—a still more serious menace—the Union Pacific might even take over a large share of the California traffic to the east, unless the Central in some way could protect itself.

But this was not the most serious menace the California



railroad had to face. Before the Civil War, the best judgment of the country, as shown in a previous chapter, favored the extreme southern route for the Pacific Railroad. The proposed line along the thirty-fifth parallel was also highly recommended. The war checked, but did not kill, the interest in these two routes; and before the Central Pacific itself was well established, other companies were at work to build into California along both of these more southerly routes. Should a road reach the Pacific over either route, it meant incalculable loss to the Central, because the latter's long haul across the Sierras, with the heavy grades and winding track, made competition with a southern road impossible on anything like equal terms.

But the men who had shown sufficient mettle to construct the Central Pacific were not now likely to see it overwhelmed by more recent rivals; and with characteristic energy they set to work to master the situation. The menace of the Oregon Short Line was met by the construction of a road from San Francisco to Portland through the Sacramento Valley. This line, originally called the Oregon-California Railroad, followed the general course of the Williamson-Abbott survey through Northern California and Southern Oregon. Most of the road was built by the Contract and Finance Company of Central Pacific fame; and as in the case of the Central, the line was largely financed by government subsidies of land and bonds. It was completed to Ashland, Oregon, the terminus of the Portland division, in 1887.

Some years before the Oregon connection was established, moreover, the Central builders had completed a much more comprehensive and daring program in the south. Here their ambition was threefold: to monopolize the transportation business of Central and Southern California, where agricultural development foretold enormous freights; to close the eastern border of the state to rival lines; or failing this, to keep them south of the Tehachapi; and to secure for themselves a through road to the east, independent of the Union Pacific and without the handicap of the Sierras. Inciden-

tally, too, the prospect of acquiring some tens of thousands of acres of rich agricultural land was not altogether without its weight.

To realize these ambitions required the construction of an entire railroad system. One of the first measures was to make sure of the San Joaquin Valley. This was done by absorbing a number of independent lines and constructing sufficient mileage to give a through track from Lathrop on the Central Pacific to a place known as Goshen in the northwestern corner of Tulare County.

By the time this was done, a new road, which had made an insignificant beginning in 1865, began to attract a great deal of public interest throughout the coast counties south of San Francisco. This was the Southern Pacific Railroad Company of California; and like the mustard seed mentioned in the Scriptures, from being one of the least of California roads, it was soon destined to become the greatest.

The original charter of the Southern Pacific called for a road along the coast, following pretty closely Parke's survey, from San José to San Diego. Thence the line was to run to the Colorado, where a junction was planned with the Atlantic and Pacific Railroad which Congress had authorized along the line of the thirty-fifth parallel. By the acquisition of the San Francisco-San José Road, which by this time had reached Gilroy in the Salinas Valley, and by showing an apparent intention of continuing down the coast in keeping with the provisions of its charter, the Southern Pacific for a time appeared in the guise of a formidable rival to the Central's monopoly.

This hope was short lived. As early as 1867 the Southern Pacific had announced a change from its proposed route down the coast to a line across the mountains into the San Joaquin, and on to the Colorado by way of the Tehachapi. This radical departure from the original plan, though greeted with strong opposition from many quarters, especially in the coast counties most seriously affected, was approved by Congress. The latter body also granted the Southern Pacific the privilege of building a branch from its proposed



Tehachapi-Colorado line to Los Angeles, and of continuing this by way of the San Gorgonio Pass to Fort Yuma.

Two short extensions of its line from Gilroy, the one running to Soledad in Monterey County, and the other to Tres Pinos in Benito County, put the Southern Pacific in a position to block the approach of any rival coming up from the south along the coast. As its congressional grant gave it the right of connecting at Needles and Yuma with the two through roads from the east, it was only necessary for the Central and Southern Pacific to unite to complete the railroad monopoly of California.

By 1871, when the Contract and Finance Company undertook the construction of the Southern Pacific line from Gilroy to Fort Mojave, it was clearly understood that this merger had taken place, and that "Stanford and Company," as the Big Four were generally spoken of in California, had effectually killed all hopes of the Southern Pacific standing out as an independent road.

Beginning at Goshen, where the Central Pacific stopped, the Southern Pacific tracks were laid through Williamson's favorite pass, the Tehachapi, and thence extended to the Colorado. Control of one of the southern transcontinental routes was thus assured, so far as an entrance into California was concerned; but the real test was yet to come. A road known as the Texas Pacific was already under construction westward from New Orleans along the thirty-second parallel. To meet this road at Yuma was not sufficient. The Southern Pacific must be carried on through Arizona and Texas to become a transcontinental road in its own right. The fulfillment of this ambition was largely due to Huntington's determination, for his companions regarded the undertaking with apprehension and gave it something less than wholehearted support.

Opposed to Huntington was Thomas A. Scott of the Texas Pacific, who was seeking to extend his own road to the California line. To succeed in this he must obtain government aid in the form of land grants and federal bonds. Huntington used all the skill he could muster to defeat this

grant, and adroitly showed up Scott's previous record, when the latter sought to win the support of Congress on the ground that he was a public benefactor. To embarrass his rival further, Huntington even offered to build the Southern Pacific without federal subsidy of any kind.[6] In these and other ways he successfully defeated Scott's plans for the Texas Pacific and was able to carry out the program for his own line.

While Huntington was thus engaged in checkmating Scott in Washington, the rails of the Southern Pacific, in the face of a government order to the contrary, were hurried through the Yuma Indian reservation and over the Colorado. Work was then rushed across Arizona and New Mexico to El Paso. The line was finally built almost to the Louisiana boundary, where connection was made with a road running into New Orleans which the Southern Pacific directors acquired from the Morgan interests. Thus the California railroad at last reached its long coveted outlet to the Gulf and made direct connection with eastern markets.

From the California boundary to New Orleans, however, the line was still known by various names and operated, nominally, by as many separate corporations. To simplify the management and bring all the roads, both within the state and beyond its boundaries, under one head, Huntington and his associates afterwards formed a corporation known as the Southern Pacific Company. This was chartered by the state of Kentucky in 1884 and by stock ownership and lease has since controlled the combined properties of the Central and Southern Pacific Railroad Companies.

This chapter has shown in sufficient detail how four surprisingly able men—Huntington, Stanford, Crocker and Hopkins—built the first great railroad systems of the state. It is a truism to say that the railroads did more than any other human factor for the economic development of California. Yet for various reasons the generation that witnessed the construction of the Central and Southern

[6] Huntington, however, counted upon substantial subsidies from the legislatures of the territories through which the road ran.



Pacific Railroads accorded to the founders of those great enterprises more of censure than of admiration. The reasons for this unfavorable attitude will appear in part in the following chapters.[7]

[7] The history of later railroad building in California makes a chapter in itself, which cannot find space in the present volume. In 1883 the Atlantic and Pacific Railroad reached the Colorado to find the Southern Pacific already in control of the approach to California. The two roads, however, made an arrangement by which the Atlantic and Pacific, or Atchison, Topeka and Santa Fé, as it was now called, secured from the Southern Pacific much of its trackage in Southern California, which was not essential to its main line east. By additional construction on its own behalf, the Santa Fé was thus able to enter Los Angeles by way of Barstow and the Cajon Pass, and also to extend its operations down the coast to San Diego. Many years later, by purchase of the San Joaquin Valley road, built by disgruntled ranchers as a rival to the Southern Pacific, the Sante Fé secured a share of the San Joaquin Valley trade, and an outlet to the Bay of San Francisco.

Two other through lines have been built since the completion of the Santa Fé. The San Pedro, Los Angeles and Salt Lake Railroad, which makes use of the Santa Fé tracks through the Cajon Pass and follows pretty closely the old Mormon immigrant trail to Salt Lake, was completed in 1905. Originally the project of Senator W. A. Clark of Nevada, this line early became a feeder of the Union Pacific and in 1921 passed entirely under that road's control. A few years after the completion of the Salt Lake Railroad, the Western Pacific from Salt Lake to San Francisco, (a different road entirely from the old Western Pacific acquired by the Central) was built to give the Gould lines a Pacific outlet. From Sacramento the line followed the North Fork of the Feather River, finding, strangely enough, the easiest grade and the least difficulty with snow of any of the transcontinental roads, though built the last of all.



CHAPTER XXVII

THE DISCONTENTED SEVENTIES

THE building of the Central Pacific Railroad overcame some of the most serious transportation difficulties of California; but it left unsolved, and in certain notable instances greatly increased, many of the vexatious political and social problems of the state. Indeed, for more than a decade after the railroad's completion, a deep current of popular discontent ran beneath the whole course of California history. Conditions in general were favorable to the creation of this spirit of unrest and dissatisfaction. The economic life of the state was still undergoing a process of readjustment incident to the close of the bonanza period of 1849. Industry and agriculture were not yet sufficiently developed to absorb the surplus population. Capital was scarce and interest rates almost prohibitive so far as the small merchant and rancher was concerned. Wages had fallen to a comparatively low level, and a large influx of population to the cities had given rise to grave problems of poverty and unemployment.

The rural communities were as discontented as the cities. Ranching in California was essentially different from farming in the east, and even where inexperience and ignorance did not result in failure and distress, some whim of nature, such as drought or flood, occasionally ruined the crops and brought discouragement and discontent. There was seldom a reserve of capital with which to tide over such disaster to the next harvest; and crop failure consequently often meant the loss of the land as well as of the money and time invested. Land titles were uncertain and often the subject of expensive litigation which the ordinary rancher could not afford. Only a few of the agricultural products which now



rank as the most valuable of the state were then grown on a commercial scale, and the industry as a whole was not yet out of the experimental stage. The knowledge of the best methods of irrigation was still in its infancy; and the question of water rights had not yet been stripped of confusion by adequate legislation and judicial interpretation. Altogether, therefore, the lot of the small rancher was not such as to make him a satisfied and contented man. He, like his fellow citizen in the towns and cities, was inclined to radicalism.

Yet Edmund Burke in substance once said that no Englishman cared a fig for abstract liberty, but would move heaven and earth for the concrete right of voting his own taxes. So, in California, the political discontent and popular unrest of the seventies did not arise alone from a general sense of grievance, but was also the product of very definite factors, the effect of which men felt in the practical affairs of every day life. When, therefore, late in the decade the citizens demanded a new constitution for the state, they were thinking much less of the rights of man (though out of respect to tradition they had to say something of these, too) than they were of certain very specific and concrete practices to which they traced many of their material ills.

The chief of these grievances had to do with corruption and inefficiency in government; the evils of the railroad situation, and the political activities of the Central Pacific; large land and water monopolies, accompanied by unfair methods of taxation; wages and conditions of labor; and finally, unrestricted immigration of Chinese coolies. The bill of particulars was large. It remained to be seen how far the evils could be eradicated.

One of the most serious of the problems was that of government reform. Never, in the history of the state, had political standards been quite so demoralized and the responsibility of public office so lightly felt. The nation itself, during this decade, was passing through a period of political laxness, of which such scandals as the Credit Mobilier, the Indian Frauds, and the Whiskey Ring were merely symptomatic. New York was giving to the world

the inspiring example of the Tweed Ring. The Gould-Fisk combination was playing fast and loose with the welfare of great railroad systems, attempting to corner the nation's gold by the control of Cabinet officials, and insolently damning the public in the bargain. In business and politics the whole country was suffering the worst moral collapse it has yet experienced. George F. Hoar's indictment of the period, severe as it was, contained nothing of exaggeration. On May 6, 1876, he made this statement in the Senate:

"My own public life has been a very brief and insignificant one, extending little beyond the duration of a single term of senatorial office. But in that brief period I have seen five judges of a high court of the United States driven from office by threats of impeachment for corruption or maladministration. . . . I have seen in the State in the Union foremost in power and wealth four judges of her courts impeached for corruption, and the political administration of her chief city become a disgrace and a by-word throughout the world. I have seen the chairman of the Committee on Military Affairs in the House, rise in his place and demand the expulsion of four of his associates for making sale of their official privilege of selecting the youths to be educated at our great military school. When the greatest railroad of the world binding together the continent and uniting the two great seas which wash our shores, was finished, I have seen our national triumph and exaltation turned to bitterness and shame by the unanimous reports of three committees of Congress—two of the House and one here—that every step of that mighty enterprise had been taken in fraud. I have heard in highest places the shameless doctrine avowed by men grown old in public office that the true way by which power could be gained in the Republic is to bribe the people with the offices created for their service, and the true end for which it should be used when gained is the promotion of selfish ambition and the gratification of personal revenge. I have heard that suspicion haunts the footsteps of the trusted companions of the President."

As already intimated, California politics in the period under discussion suffered from the same ills which Hoar found in the national capital and in New York. No branch of the state government was free from this low tone of



political morality; but it was generally recognized that the Legislature was more completely lost to a sense of political honor than any of the other departments. There were several reasons for this condition, apart from the general factors of corruption and inefficiency inseparably connected with all legislative bodies. The California Legislature, unfortunately, had behind it no tradition of honest government. On the contrary, almost from the organization of the state, its proceedings had been marked by a moral laxness that frequently assumed the proportions of open scandal. Therefore, whenever the body came together, lobbyist and corrupt agent of every sort flocked to the state capital, where a man with money or favors at his command might do much to influence legislation.

Again, the members of the Legislature too frequently united second rate ability with second rate morals; and as the constitution (naïvely framed on the supposition that public officials could safely be trusted with power), imposed few restraints on the law making power of the body, the combination was exceedingly injurious to the state. Complaint was made particularly against the free hand allowed the Legislature in levying taxes, making appropriations, granting away franchises and state lands, and enacting special legislation.

Even where no dishonesty prevailed, the organization of the Legislature and its methods of doing business led to the enactment of hurried and ill-digested laws, most of which were crowded through the last few days of the session, allowing all sorts of private interests to profit at the expense of the public good. William J. Shaw, a member of the California Senate, made the following trenchant criticism of these conditions in 1875:

"It is really difficult to comprehend how a Legislature could be intelligently contrived to render it more certain that proper legislation cannot possibly be performed. . . . The last session ended on the 30th of March, 1874. In December our Legislature passed thirteen statutes. In January it passed thirty nine. In February it passed one hundred and nine. In its thirty days in



March it passed five hundred and eighteen statutes. . . . But we have not yet told all. Of the six hundred and seventy-nine statutes . . . no less than five hundred and eighteen were merely local or personal acts, and of no moment to the State at large. . . . No less than thirty-two were passed to permit county sheriffs or clerks to leave the State or for the private interests of some persons in the way of getting money claims allowed, justly or unjustly. Nine several separate statutes were passed to enable school districts to build school houses, or to do something else of a like local nature. . . . One statute was enacted to change the orthography of an unknown place, and two or more to change the names of some such places. Three several statutes were passed to prohibit hogs from running about in some of the counties, and one to prevent horn cattle. . . . Several separate statutes were passed to make counties pay debts they apparently were not obliged to pay otherwise. One special statute was passed to authorize the County Government of San Francisco to hire a messenger; and, I believe, one other to enable it to better provide for removing dead dogs from its streets. . . . No less than thirteen several statutes were passed at the last session and approved by the Governor, to repeal or amend thirteen other statutes previously passed and approved by the Governor at that very same session. So that even before the one hundred and three working days had passed by, they found it necessary to begin again to repeal or to amend some of the very acts the Houses had just passed, and the Governor had just approved only a few hours, or a few days previously."

Dishonesty, mediocrity, and confusion thus combined to make the California Legislature an easy prey to many species of corrupt politics. Independent newspapers characterized session after session of the body as extravagant, useless, and corrupt. Outright bribery was so common that the San Francisco *Bulletin*, without any trace of sarcasm, congratulated the people of the state because the members of the Legislature during one session, "even though evincing ignorance and incapacity," seemed to be influenced in their support of objectionable bills more by political prejudice and personal ambition than by mercenary motives.

What was true of conditions at Sacramento was also true of the politics of San Francisco. The salutary lessons taught



by the Vigilance movement of 1853 had been forgotten; and the city officials, though no longer so openly in league with cutthroats and similar gentry, had formed a highly profitable partnership with certain contractors and public utility corporations of various kinds. The award of municipal contracts, the paving of city streets, the erection of public buildings, and various kindred enterprises offered rare opportunities for exploitation of the city's funds.

"Our official rascals may be set down as the meanest in America," said one San Francisco editor. "There appears to be nothing too small for them to appropriate. . . . They go for everything in sight, from a horse and buggy to the shirt studs of a suicide. Everybody who has any dealings with the city has to grease the wheels. . . . The city hall needs reformation almost as badly as the most notorious dive on the Barbary Coast. . . . Faster than we can make note of them or take account of them, rogues are being discovered."

The truth was, the whole political situation of California, as evidenced by the conditions both at Sacramento and in San Francisco, was unfortunately bad. The concrete effects of these evils in government appeared in increased taxes, unjust assessments, poor streets, high railroad rates, water monopolies, and in a score of other abuses which brought home to the average citizen the significance of government. He became interested in reform, not as a political philosopher, but because he wanted to save money.

Inseparably connected with political abuses, were grievances of economic origin. Foremost of these were the issues arising out of the transportation monopoly. The Act of 1861, incorporating the Central Pacific, had fixed a maximum passenger fare of ten cents a mile and a maximum freight rate of fifteen cents per ton-mile. Within these limits, however, the sole method of determining rates was to charge as much as the traffic would bear—and perhaps a little more. Time and again the Legislature had been importuned to enact a full schedule of freight and passenger rates to which the railroads would have to conform. But the Central

Pacific officials denied the power of the state to pass such legislation and effectually killed all bills of the kind.

Whether rates as a whole were extortionate or reasonable is not now a vital question. In spite of repeated denials, accompanied by plausible figures, that the California roads were yielding a profit, or charged proportionately more than eastern lines, public opinion stubbornly took the other view. To the people of that day the "swollen fortunes" of the builders of the Central Pacific was evidence enough of the revenue producing powers of the road. Moreover, the assertion that rates were much lower by rail than in the days of the stage coach, that goods were carried much more quickly, and that land through which the railway ran had greatly enhanced in value, failed to convince the California public that the road was indeed a great public benefactor, entitled to practice any methods it might choose.

There were also many features of a technical nature connected with the fixing of railroad rates, which the public of that day could not fathom, and in which they saw only great injustice. For example, it is doubtful if many of the ranchers of the Sacramento and San Joaquin Valleys could understand why it cost them more to ship barley a hundred miles by rail to tide water than to send it all the way from San Francisco to Liverpool on a British vessel. Similarly, an alfalfa grower of Kern County had difficulty in comprehending the necessity of paying a hundred and eighty dollars for the shipment of a carload of alfalfa seed, when an equal weight of wheat would be carried the same distance for sixty dollars. The city of Winnemuca, Nevada, lies east of the Sierra Nevada Mountains and is about 400 miles nearer Chicago than San Francisco. Yet the freight rate from Chicago to Winnemuca was two and one-third times as great as the rate from Chicago to San Francisco, *by way of Winnemuca*. The reasoning by which the railroad justified this practice was not convincing to inland shippers.

The principles upon which most of these discriminations were based—for example, that of the long and short haul, and the lower rates for tide water points—have since been



settled in favor of the railroads. But at that time they were an effective source of aggravation to thousands of shippers and cost the railroads heavily in public favor.

Other practices, legitimate neither then nor now, were just as freely, if not quite so openly, indulged in, to the further unpopularity of the railroad and the real harm of the public. Uniform freight rates and service prevailed only in theory, and were determined largely by the relation of the individual shipper to the road. The Central Pacific was charged with granting rebates, discriminating between shippers in the allotment of cars, manipulating service to injure or favor some particular patron or community, and otherwise abusing the tremendous power which its monopoly of the state's transportation facilities conferred upon it.

Suits brought against the railroad for real or fancied injuries seldom netted the plaintiff anything but loss.[1] The most capable lawyers of the state were in the employ of the Central Pacific, and it was natural that the road should have

[1] The actual record of suits lost and won by the Southern Pacific Co., the Central Pacific and their subsidiaries from 1867 to 1920 before the State Supreme Court, is shown in the appended table:

S. P. CO., CENTRAL PAC., S. P. R. R., S. P. LAND CO. CALIFORNIA SUPREME COURT

Period	*Death or Personal Injury*		*Damage to Real and Personal Property*		*Land*		*Eminent Domain*		*Taxes*		*Misc.*		*Total*	
	R. R. Won	*R. R. Lost*	*W*	*L*	*W*	*L*	*W*	*L*	*W*	*L*	*W*	*L*	*W*	*L*
1867–1880..	8	7	3	2	4	—	7	—	2	6	3	8	27	23
1881–1893..	29	11	2	2	9	3	3	5	2	8	8	6	53	35
1894–1900..	10	8	3	4	4	4	1	—	3	1	7	6	28	23
1901–1910..	11	9	3	1	9	3	2	—	1	—	8	2	34	15
1911–1920..	19	18	1	1	11	3	1	—	3	—	2	3	37	25
Totals...	77	53	12	10	37	13	14	5	11	15	28	25	179	121

Of the 138 cases prior to 1894, the company appealed..... 96
Of the 96 so appealed, the company lost 52%..... 50
Of the 162 cases since 1893, the company appealed.....113
Of the 113 so appealed, the company lost 43%..... 49

a tremendous advantage in dealing with an individual opponent. Unless the latter were gifted with unusual resources, he could scarcely survive the delays, appeals, and endless technical obstacles with which the company could obstruct his suit, even though the legal advantages were on his side. The success of the railroad in obtaining favorable decisions was not credited by the common opinion, however, entirely to the ability of its legal staff, for there was a feeling abroad in the seventies that judges, as well as legislators, could be bent to do the Central Pacific's will.

In the matter of taxes the railroad also gave offense. Owing to limitations of space this subject, like many others in the chapter, can only be touched upon. Public opinion on it was pretty well summed up, however, by Volney E. Howard before the State Constitutional Convention of 1878.

"It is said by Mr. Stanford," Howard remarked, "that the railroads pay $500,000 in taxes, and it is shown by their official documents and reports that, if they were taxed as other people are taxed, on the value of the property, that they would pay annually over $3,000,000. But they are not taxed as other people are taxed. In my county and in others, they elect the Assessor, and in my county the road that cost on an average $25,000 per mile to build, was assessed at $6,000 a mile; and land which they are selling sometimes for $10.00 per acre, which they received in subsidy from the government, they have taxed at $1.00 per acre."

For these and other reasons the Central Pacific became the object of bitter and deep rooted hostility in California, and men came to ascribe to it the responsibility for most of the hurtful economic and political conditions from which they suffered.

Another source of popular discontent in the seventies was the large land holdings which in some sections of the state reached the proportions of actual monopolies. Aside from the railroad grants, to be spoken of later, this land problem was largely a heritage from the old Spanish-Mexican period. The sparse population and limitless extent of unoccupied territory, together with the peculiar demands of a cattle



raising people, encouraged a system of princely holdings in the California of early days. The Mexican government was most liberal in its grants to individuals, and the secularization of the missions also threw enormous areas into private hands. Thus, by 1846 it was estimated that 8,000,000 acres were held by 800 grantees.

When the first rush to the gold fields started, the newcomers paid little attention to these large holdings of agricultural and grazing lands. But before long, squatters and rival claimants began to throw the old system into utmost confusion. Title to many of the grants had not been perfected; others were fraudulently held; and in the case of nearly all, indefinite or carelessly drawn boundaries caused serious overlapping and left large areas in dispute.

As population increased and mining ceased to absorb general attention, the settlement of these perplexing agrarian questions became vital to public interest. In 1849 and again in 1850, following investigations ordered by the government, reports were sent to Washington on the subject of California titles.[2] Congress, however, could not agree on any settled policy with regard to the Califorina lands until 1851. In that year, after a deal of wrangling, the famous Land Act of March 3 was enacted. This bill created a board of Land Commissioners before whom the grantees under the old Spanish-Mexican régime were required to appear with witnesses and documents to establish ownership. Failure to meet this requirement within a specified time caused forfeiture of title.

As this act worked out, it was in reality a violation of the Treaty of Guadalupe Hidalgo, one provision of which guaranteed that property held in the ceded Mexican territory would be " inviolably respected " by the United States. Under the bill, however, these titles were thrown into the utmost uncertainty; and endless litigation followed the attempts of the Commission to adjudicate the cases brought before it. Its decisions affected nearly 13,000,000 acres, and

[2] The report of 1849 was made by Captain H. W. Halleck, that of 1850 by William Carey Jones.

as appeals could be carried from the Commission to the United States courts more than thirty years went by before many of the claims were settled.

In the meanwhile, two classes of persons suffered. The native Californians, original holders of the grants, were robbed by squatters, squeezed by shrewd business men (who lent them money at two or three per cent a month with which to meet the costs of litigation and other demands for ready cash), and defrauded right and left by designing lawyers. But the native Californians were not the only sufferers. Small settlers—men who had but little capital—found land investments dangerous because titles were so insecure. Frequently those who bought small tracts in good faith were driven off by some more powerful claimant, or compelled to exhaust their last resources in the courts to retain possession, only in the end to see house, ranch and improvements pass into other hands.

Under these conditions, agricultural advancement was slow; needed improvements, such as irrigation works, could not be undertaken on a large scale; and worst of all, the land passed into the hands of speculators whose wealth enabled them to defend their holdings before the law and to keep them intact until increasing population brought enhanced values.

Large holdings were also made possible by the methods employed by the federal government in disposing of its public lands. While sound enough in theory, these lent themselves to various kinds of fraud and evasion, by which the speculator profited at the expense of the actual settler. The state, also, aided the monopolist both to its own serious loss and the hurt of the small rancher. California, like many other western states, had received princely gifts of land at various times from the federal government. These included swamp and overflowed lands within the state boundary; so-called school lands, consisting of every 16th and 35th section of the federal domain in California; and various minor grants for a state university, an agricultural college and other public purposes. All told, the state thus received



from the federal government nearly 9,000,000 acres of public land. It was intended that this land should be sold to actual settlers for a fixed price of $1.25 an acre; and while a good share of it was thus actually disposed of, far too much passed into the hands of large owners, commonly dubbed "land hogs."

First and last the government also granted to the pioneer railroads of the state some 15,000,000 acres of California land.[3] Much of this was of little value; but other portions lay in the richest sections of the state. The prices on this land nominally ranged from $2.50 to $10.00 an acre. But the railroad builders were accused of keeping the most valuable land off the market entirely, selling it to speculators, and buying it in themselves to hold for future profit. On top of this, were innumerable disputes between the railroads and those settlers who had preëmpted government land along the company's right of way. The culmination of these controversies was a pitched battle between the regular officers of the law, representing the Southern Pacific, and a group of desperate ranchers at a place called Mussel Slough in Tulare County. The engagement resulted in the death of several persons and created an animosity against the railroad which a generation has scarcely effaced.[4]

[3] The federal land grants within California to the Southern Pacific system is shown in the following statement.

STATEMENT MADE AS OF JUNE 30, 1916
PURSUANT TO THE INTERSTATE COMMERCE COMMISSION'S VALUATION ORDER NO. 16, DATED MARCH 30, 1915

	C. P. Grant Acts of 7-1-62 and 7-2-64	*C. and O. Grant Act of 7-25-66 (now C. P.)*	*S. P. R. R. Grant Acts of 7-27-66 and 3-3-71*	*Total*
Total area within Primary Limits (Including Unsurveyed—Estimated)	1,345,466.91	3,267,189.51	9,798,111.64	14,410,768.06
Lost	292,461.92	1,013,416.72	4,173,250.98	5,479,129.62
Net area obtainable within Primary—Estimated	1,053,004.99	2,253,772.79	5,624,860.66	8,931,638.44
Area taken as lieu under Act of 6-22-74	162.91	.....	.....	162.91
Area taken as lieu under Act of 6-22-74 and in exchange under Act of 1-21-91	.....	.....	4,683.87	4,683.87
Indemnity taken for Primary losses	.....	989,824.34	1,373,990.72	2,363,815.06
Total area granted—Estimated	1,053,167.90	3,243,597.13	7,003,535.25	11,300,300.28
Less lands erroneously patented and title revested in the U. S. by Court Decree, or by voluntary conveyance	397.53	3,041.68	97,821.45	101,260.66
Net area acquired—Estimated	1,052,770.37	3,240,555.45	6,905,713.80	11,199,039.62

[4] Frank Norris's striking novel, *The Octopus*, centers around this incident.

The land monopoly resulting from the various factors just enumerated weighed heavily upon the people of California. Holdings covering half a million acres were not unknown, and many counties were almost swallowed up by the possessions of a single company. A careful writer, A. N. Young, has estimated that half the available agricultural land in the state was thus held by only one five-hundredth of the population. The popular dissatisfaction which arose from this condition was aggravated by methods of tax assessment which placed a much lower valuation per acre upon land owned in large tracts than upon that belonging to small owners, or allowed the large holdings to escape assessment altogether.

In most sections the irrigation problem was also an accute grievance of the small rancher. Without water his land was worthless. To build canals and other necessary irrigation works demanded large capital. This the settler could not command by himself, and as the formation of mutual companies was slow, the large landholders generally got control of the available water supplies and exacted high rates from the small users, or forced them to relinquish outright whatever land they had acquired.

The evils resulting from this agrarian situation were undoubtedly magnified by those who suffered from it. Not every large land owner had come by his property dishonestly, or enriched himself at the expense of society. Much of the land held in large tracts, particularly a goodly share of the railroad grants, as already stated, was of so little value that no one would purchase it at any price. Yet unquestionably the system was bad in itself and worked a great injustice to individuals and to the state. Not the least significant of its effects was the aggravation of the public mind and the stimulation of popular discontent.

"It is the land monopolist," said J. M. Days in the state Legislature in 1875, speaking for most of his fellows, "who gathers toll everywhere and puts a blight on everything. He holds millions of acres of uncultivated land, refusing to sell except at an enormous price. He pays comparatively no taxes, shifting the burden on



industry. He drives the poor into cities to compete with one another for bread." [6]

As though abuses in government, the railroad monopoly, and the land situation were not sufficient to unsettle California politics and render public opinion impatient, a business depression set in about 1875, caused chiefly by the great panic in the east two years before and aggravated by a wild period of local speculation in mining stocks, which centered in the Nevada silver companies. The collapse of this excitement was sudden and complete, and for a long time the air was filled with the debris of broken fortunes. Drought added to the general gloom, entailing a loss of $20,000,000 to farmers and cattlemen in a single season. The distress of these years in the rural communities was greatly accentuated by unemployment and poverty in the cities. This was particularly true of conditions in San Francisco, where the industrial depression was most keenly felt. By this time the city had a population of some 200,000 persons. Among these were miners who had drifted in from mountains with the closing down of mines, and all sorts of industrial laborers thrown out of employment by the hard times. The Irish element was large; and labor unions had already begun to teach the workingmen the advantages of solidarity and the power of political action.

To the other grievances of the laboring population, which embraced the sins of capitalism in general, was added the more tangible evil of Chinese immigration. To go into a detailed discussion of the Chinese invasion of California is impossible, at this time. The celestial coolie has enjoyed more publicity than almost any other subject of California history, and if one should start to narrate his career on the Pacific Coast in anything like a comprehensive fashion, there would be no end. The salient facts of the subject,

[6] Out of the dissatisfaction resulting from the land situation, sprang Henry George's *Progress and Poverty*, and the Single Tax movement. The best account of this movement in California is in Arthur N. Young, *The Single Tax movement in the United States* (Princeton, New Jersey, 1916). To this book the author is indebted for several quotations appearing in the chapter.

however, may be briefly given. Up to 1850 a mere handful of Chinamen had come to California. By 1876, the handful had increased to 116,000, of whom perhaps 5,000 were women. There were some merchants in this number, but the overwhelming majority were common laborers, or coolies, mostly from Hong Kong or other seaport cities. These coolies were brought into California chiefly by Chinese organizations known as the Six Companies—very wealthy concerns which had their headquarters in San Francisco and combined many other activities of a mercantile nature with the business of importing coolies. The Chinamen came into California under contract to pay back to the companies the price of their passage and a certain per cent of their earnings. The companies, in turn, guaranteed to find them employment in California and to send them back, living or dead, to China. From the coolies' standpoint, it is safe to say, there was nothing obnoxious in any phase of the bargain.

Once in California, the Chinese kept almost entirely to themselves, did not understand the white man, had no desire to associate with him, and refused to adopt his customs or manner of life. The Californian, on the other hand, saw in the Chinaman only an inferior being, simple in some ways but cannier than a Scot in others, who lived in squalor and stench, spoke an outlandish jargon, worked with a patience and industry beyond comprehension, worshipped strange gods, suffered from strange diseases, practised strange vices, ate strange foods, regarded China as the land of the blessed, thrived under standards of living no white man could endure, administered his own law in his own way through his own agents, without much regard for the officials and statutes of the Sovereign State of California, suffered with helpless stoicism whatever indignities were thrust upon him (partly because he had no vote), and represented but the far flung skirmish line of an army of 400,000,000 beings like unto himself. No wonder California became alarmed! The state faced irreparable injury if something were not done to keep the stream of immigration under control. The fault lay not in dealing with the



problem, but in seeking to meet it with agitation and passion instead of sound statesmanship and common sense.

Much legislation had already been passed before the discontented seventies to protect the whites against the Chinese. The foreign miner's tax made life a little more uncomfortable for the celestials, but did not drive any large number back to China. Exclusion bills of various sorts and under various guises either failed to meet the situation or, drastic enough to afford some actual restraint, were declared unconstitutional by the courts. The attempt to check the importations of Chinese by various forms of taxes was also tried without much avail; and municipal ordinances, many of them mere petty persecutions, similarly had little effect in dealing even with the local aspects of the question.

Meanwhile, the Chinaman kept coming in ever larger numbers to fill a real economic need in the state. He monopolized the laundry business, and without him most families in California would have worn dirty clothes from one week's end to another, or washed their own garments. He became the universal household servant, both in fashionable homes around the Bay, and in lone ranch houses where harvest crews had to be cooked for in the heat of summer over old-fashioned wood ranges. He opened cheap restaurants in every city, giving his patrons more and better prepared food than his white competitors ever dreamed of furnishing. He began to raise and peddle vegetables; to work in vineyards and orchards; to show his age-old training in building irrigation systems and reclamation canals. Finally, he was called upon by Crocker to lay the Central Pacific tracks, and from that time on did much of the unskilled construction and maintenance work for the western railways.

In the eyes of labor, however, this last arrangement increased the unpopularity of both railroads and Chinamen. It became one of the chief grounds for their denunciation of the Central-Southern Pacific monopoly; and was a principal cause of much of the anti-Chinese agitation in the seventies.

Another very definite ground of complaint during this period was the Burlingame Treaty of 1868. Under the terms of this agreement, whose interesting history cannot be told here, Chinamen were placed upon an equal footing in the United States with citizens of other nations. They were promised protection, offered the privilege of attending American schools, allowed freedom in their religious beliefs, and given the right to reside in the country at will.

The railroad use of coolie labor and this American negotiated treaty prepared the way for some of the most shameful incidents in California history. Anti-Chinese agitation soon took the form of violence. In Chico, San Diego, and a number of other towns, mobs from time to time destroyed Chinese laundries and restaurants. But it was chiefly in San Francisco and Los Angeles that brutality reached its climax in open murder. The worst incident of the kind was the Los Angeles massacre of 1871. The trouble originated when two police officers, seeking to break up a tong war in the Chinese quarter, were seriously wounded, and a third member of the squad killed outright by frenzied Chinamen. A mob of a thousand persons "armed with pistols, guns, knives and ropes," immediately marched into the Chinese section, seized victims without any attempt to discriminate between the innocent and guilty, overpowered the officers of the law who were seeking to disperse the crowd, and hanged at least twenty-two Chinamen before the evil business came to an end. Most of the lynchings took place on Commercial and New High Streets, in what was then the very heart of the business district: and though the mob was composed of "the scum and dregs" of the city, no serious attempt was ever made to bring the ringleaders to justice.

Though the anti-Chinese agitation never again expressed itself in quite so bloody a fashion as in the Los Angeles massacre, yet the popular outcry increased year by year. By 1875 a sort of hysteria began to sweep over the state, and the phrase "The Chinese must Go!" became the battle cry of a frenzied crusade. Merchants headed their advertisements, "Our Motto, 'The Chinese Must Go!'" A



saloon keeper, speaking in the third person, exhorted his customers in the following poetic vein,

> "His drinks are A1 and his prices are low,
> His motto is always, 'The Chinese Must Go!'
> So call on your friends, workingmen, if you please,
> Take a good solid drink and drive out the Chinese."

A member of the State Constitutional Convention, who did not believe in any waste of words, introduced a bill with the single clause, "Resolved: the Chinese Must Go." The expression became the shibboleth of every second-rate office seeker in the state and was effectively used to appeal to prejudice and the mob spirit.

This, of course, does not mean that all anti-Chinese feeling was founded on ignorance or class hate. Intelligent, sober-minded men, both among workingmen and employers, realized the seriousness of the problem and sought to deal with it on a rational basis. A congressional commission, state legislative committees, all sorts of organizations, and scores of individuals set to work to collect statics and information regarding the Chinese at home and in the United States. And though much of the data thus obtained was prejudiced and unreliable, it served the purpose at least of thoroughly airing every side of the question.[6]

With the railroad monoply, the land monopoly, hard times, unequal taxes, a government in which the people had little faith, lack of employment, and the Chinese question disaffecting the masses of labor throughout the state, a capable man might go far in organizing the radical element for dangerous action. By 1877 the situation in San Francisco had become serious, and the labor unrest found expression in such dangerous demonstrations against the Chinese residents and the property of the Pacific Mail Steamship Company, as well as in such outspoken threats against the monied classes, that the aid of a committee of safety, headed by W. T. Cole-

[6] In 1882, after the Burlingame Treaty had been amended with the consent of China, the United States government closed the door to Chinese immigration for ten years. The act was amended in 1892, and with certain changes in detail has been kept in force ever since.

man of Vigilante fame, and the presence of three United States naval vessels in the harbor, were required to maintain order.

These outbreaks in San Francisco occured during July. The next month a self-elected leader appeared to take command of the hitherto poorly organized labor movement. This man was Dennis Kearney, an Irishman thirty years of age, who had been both seaman and teamster before aspiring to political leadership. At this time, huge labor meetings were held every Sunday afternoon on a vacant sand lot on Market Street, just across from the City Hall. Here Kearney showed a remarkable genius for mass leadership. As a public speaker he sensed the taste of his audience perfectly; and his harangues combined enough coarse humor with vigorous denunciations of capitalism in general and violent abuse of prominent business leaders in particular to make him at once a recognized favorite.

Judged by his language alone, Kearney was as strong an advocate of direct action as the most rabid of modern syndicalists, but his radicalism ended there. Though he urged a "little judicious hanging of capitalists and stock sharps" and called upon every workman to "provide himself with a musket," there was no actual destruction of property or loss of life during his régime.

Kearney, however, was not a mere spell-binder. Under his leadership, a party known as the Workingmen's Party displaced a much less effective organization called the Workingmen's Trade and Labor Union, which had been formed some time before, and became a very powerful factor in California politics. While naturally strongest in the cities, the new party also drew from the ranks of discontented agricultural labor, and even formed an effective alliance with the recently organized Granger movement among the small landholders. Its platform was remarkably free from the communistic doctrines then in vogue among the radicals; for, as so frequently happens, (fortunately for society,) the conservative element in the party far outnumbered the extremists, and consequently gave a more moderate direction to the movement.



Kearney maintained his leadership from the summer of 1877 until the following spring; but in May, 1878, a hostile faction in San Francisco headed by the party's County Central Committee, tried to read him out of control. He was formally charged with trying to establish a dictatorship, with party disloyalty and personal dishonesty, with being "more than suspected of selling out to the enemy," with using indecent language and showing no respect for the rights of others, with irresponsibility and even insanity. If his opponents failed to make the bill complete, it was only through oversight.

The night of May 7th, 1878, the Kearney and Anti-Kearney factions met at a mass meeting which proved anything but a love feast.

"Frank Rooney, one of the opposition," said an account in the next morning's *Bulletin*, "attempted to speak but was throttled and borne to the floor. His friends sprang to the rescue, and a scene followed. The surging crowd clutched at each others throats, gesticulating and vociferating like madmen. The Sergeant-at-arms sprang into the mêlee, striking right and left with commendable impartiality. The President pounded away on his desk with a police club, but no heed was given to his calls for order. Finally, he called out, 'Hold your ground, Rooney; don't you go out, Rooney.' At that the Treasurer, O'Neil, went for the President, but the Sergeant-at-arms properly separated them. Kearney who was not present when the mêlee took place, arrived shortly after his supporters had gained control, and order had been restored. Called upon for a speech, ' he predicted a bloody revolution and denounced the County Commission.' "

The breach in the Workingmen's Party, coupled perhaps with money received from certain interests he had most vigorously attacked, brought about Kearney's retirement from public notice. He had enjoyed a skyrocket sort of notoriety, and made his name a source of considerable alarm to the conservative elements of society. With more education and less class prejudice, his control might have been constructive, beneficial, and long continued. As it was, though his party played a prominent part in the Constitu-

tional Convention and filled some local offices for a number of years, its lack of effective leadership soon led to disintegration. Largely through its influence, however, the Chinese agitation was brought to a climax; certain measures of a social and economic nature were embodied in the state constitution; and labor came to play a more important part in California politics. Incidentally, the expressions "Sand-lot Politics," and "Kearneyism" were added to the state's political vocabulary.

Enough has been said thus far to show how strong the current of discontent ran through California in the seventies. The people everywhere were seeking relief, and as the best means of getting this, demanded a new constitution. The convention to frame this document met September 28, 1878. The political make-up of the gathering was as varied as the colors of Joseph's coat. Out of the 152 members, there were ten Democrats, eleven Republicans, two Independents, seventy-eight Non-Partisans, and fifty-one Workingmen. The Non-Partisan delegation represented a fusion of those who were willing to break away from party lines to get the best men possible. They realized that reform in the state government was necessary; but wished to keep it within bounds and give it the advantage of intelligent direction.

The convention elected Joseph P. Hoge, a San Francisco lawyer, president; and Joseph A. Johnson, secretary. Its sessions lasted until March 3, 1879, when the new constitution was adopted by a vote of 120 to 15. On May 17th the document was submitted to the people of the state and received a majority of 10,280 votes, out of a total of 145,000 cast.

One section of the press, under railroad and corporation influence, as bitterly denounced the convention and all its works as Kearney had denounced the San Francisco capitalists. And, indeed, many of the resolutions introduced in the convention were either impractical, confiscatory, or plainly a violation of the federal constitution. Most of these extreme measures, however, were voted down in the convention; and though many of the provisions that remained seemed re-



actionary to the conservatives of that day, to the present generation they appear extremely moderate. A large number of the articles failed to accomplish the good they were intended to bring about; and the intent of others was nullified by the courts, or so twisted by legislation as to serve the very evils they were designed to abolish. As a whole, however, the constitution of 1879 was much more adapted to the needs of the state than the old constitution of thirty years before. It is true that abuses flourished under it with all the vigor of a green bay tree. But the delegates to the convention had at least made an honest attempt to meet the needs of the time and to relieve the people of deep-seated grievances. They failed in many particulars; but in passing judgment upon them, one should remember that they were seeking to solve a perplexing variety of economic, social and political problems with which the people of the state themselves were not then qualified to deal. Even a perfect constitution would not have brought the changes men desired. These waited upon a more enlightened public opinion and upon a higher order of business and political morality, rather than upon a new organic law.

CHAPTER XXVIII

POLITICS, 1880-1910: A RÉSUMÉ

As stated in the preceding chapter, the constitution of 1879 made a sincere attempt to remedy the grievances of which the people of the state complained. To this end it provided for a more equitable system of land assessment; placed the sale of water for irrigation purposes under official regulation; curtailed to some degree the right of public service corporations to fix rates; declared lobbying a felony; forbade special legislation; and greatly restricted other powers of the Senate and Assembly.

In dealing with the issues arising from the transportation monopoly, the framers of the constitution made many radical changes in the old order. Railroads were declared common carriers and forbidden to combine with steamship lines or among themselves to hinder competition. Discrimination in rates or service was prohibited; passes could no longer be granted to state officials; rates once lowered to stifle competition could not be raised again without the sanction of the state. Finally, no officer, stockholder, or employee of a railroad was permitted to furnish supplies or material of any kind to the company with which he was connected.

The most significant extension of public control over the railroads lay, however, in the constitutional provision for a State Board of Railroad Commissioners with ample powers to regulate rates, examine into accounts, and prevent unlawful discriminations of every sort. As formally established by the legislative act of April 15, 1880, this Board consisted of three members, elected every four years.[1] The creation of

[1] In 1876 the Legislature had enacted the O'Conner Bill fixing a maximum schedule of rates; and two years later had established the office of Commissioner of Transportation.



this commission was considered a great victory for the people; and for a time there was much rejoicing that a method had at last been found to deal with the railroad monopoly.

Following the adoption of the constitution, thirty years went by before the state experienced another startling political upheaval. In the meantime many of the economic conditions against which the agitation of 1878 had been directed gradually disappeared. The Chinese invasion, as already explained, was checked by federal legislation. Many of the large land holdings were subdivided into small ranches and sold to meet the demands of a constantly increasing population. Water rights became more stabilized, and the development of diversified forms of agriculture improved materially the status of the rural population.

From a political standpoint, however, conditions showed but slight improvement. The standards of the time tolerated many practices which present day opinion outlaws. Moreover, the system of party organization and the electoral machinery then in vogue were not especially adapted to making the government responsive to popular control. For the most part, during this period, the state was under the control of the Republican party, with the Democrats gaining an occasional governorship or electing an occasional United States Senator. But under neither party was there much change in fundamental conditions.[2] "There is not much that divides the parties now," truly said Collis P. Huntington some years before his death in 1900, "but the seven great reasons; those are the five loaves and the two fishes." And it need scarcely be added that Huntington knew whereof he spoke.

To account for the low tone of politics and government within the state, the people of California fell back upon their old antipathy to the Central-Southern Pacific Railroads, whose builders had early entered the field of politics. The first concern of these men was to obtain land grants, subsidies of various kinds, franchises, and similar concessions for the roads. Later, they became interested in preventing the

[2] See Appendix A, for a list of the governors of California.

reduction of rates, the increase of taxes, and the enactment of various forms of regulatory legislation. In these political activities, as in every other undertaking, the railroad organization was efficient and successful. But as public sentiment grew more hostile, anti-railroad agitation began to be resorted to as an easy means of obtaining votes, and anti-railroad legislation, some of which was legitimate, some ultra-radical, and some a scarcely concealed form of blackmail, had to be fought in every session of the Legislature.

The railroad organization was also vitally interested in the Congressmen and Senators California sent to Washington, and in the character of such bodies as the State Board of Railroad Commissioners and the State Board of Equalization, with its powers of revision over tax assessments. In fact, since the interests of the Southern Pacific Company were so extremely varied that it could be benefited or injured in a hundred different ways by as many political bodies throughout the state, there was virtually no limit to the official appointments and legislative issues in which it was concerned.

Eventually, as already stated, these political activities of the railroad came to be accepted by the people of California as the chief cause of the unsatisfactory nature of their government. The influence of the "Southern Pacific Machine" was popularly supposed to extend from the Governor of the state to the lowest ward healer in San Francisco and to determine who should sit in city councils and on boards of supervisors; who should be sent to the House of Representatives and to the Senate at Washington; what laws should be enacted by the Legislature, and what decisions should be rendered from the Bench.

That the officials of the Southern Pacific could not be convicted of any direct violation of the law in their political activities made no great difference to the public mind. Men, for example, pointed to the election of Stanford to the United States Senate in 1885 as an evidence of the railroad's power, and the story got abroad that he had spent a quarter of a million dollars to insure the necessary notes. After the



death of Colton, one of the important builders of the Southern Pacific Railroad, certain letters which had been written by Huntington to Colton were submitted as evidence in a suit brought by Colton's widow against her husband's former associates. Extracts from these letters, which dealt principally with Huntington's activities in Washington, the desirability of passing certain measures in the California, Arizona and New Mexico Legislatures, and the election of candidates favorable to the railroad interests, influenced the public mind still further against the Southern Pacific Company.[3]

Beginning in the early nineties, moreover, and extending over half a decade, the Southern California public, particularly, had what was commonly regarded as unmistakable evidence of the Southern Pacific's influence in national politics. The issue involved was that of constructing a deep-water harbor at San Pedro. This port, famous in the old days of the hide and tallow trade, furnished the logical outlet of Southern California railroads to the sea, and was the natural entrepôt for all the territory tributary to Los Angeles. The roadstead, however, was badly exposed at certain seasons of the year, and required the erection of an expensive breakwater to render it secure. The required appropriation for this depended necessarily upon the federal government; and though a number of small appropriations

[3] The following are typical examples of the so-called "Colton Letters," the authorship of which was popularly ascribed to C. P. Huntington.

No. 107 New York, Jan. 17, 1876—Friend Colton: I have received several letters and telegrams from Washington today, all calling me there, as Scott will certainly pass his Texas Pacific bill, if I do not come over, and I shall go over tonight. . . . It costs money to fix things so that I would know his bill would not pass. I believe with $200,000 I can pass our bill, but I take it that it is not worth that much to us.

No. 261 New York, March 7, 1877—I staid in Washington two days to fix up the Railroad Committee in the Senate. Scott was there, working for the same thing; but I beat him for once, certain, as the committee is just what we want it, which is a very important thing for us.

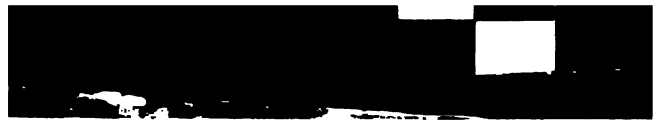
No. 366 New York, Oct. 29, 1877—I saw Axtell, governor of New Mexico and he said he thought that if we would send to him such a bill as we wanted to have passed into a law, he could get it passed with very little or no money; when, if we sent a man there, they would stick him for large amounts.

for dredging the estuary, or so called inner harbor, had been made, Congress seemed little disposed to provide the necessary funds for the larger undertaking.

In the early stages of the movement, the Huntington interests, in common with other influential organizations, backed the San Pedro enterprise. Later, for reasons variously explained, the Southern Pacific broke away from its former associates, became the bitter opponent of the San Pedro appropriation, and advocated the creation of a port some two miles north of the town of Santa Monica, where the company itself had just erected a costly wharf (familiarly known in after years as the "Long Wharf"), reaching a mile out to sea.

For many years the fight over this harbor question went on, until it became the most hotly contested issue in Southern California politics. The Southern Pacific program was backed by various newspapers and a number of the most influential citizens of Los Angeles. On the other hand the fight for San Pedro was carried on by a strong coalition composed of the Los Angeles Chamber of Commerce, the recently organized Los Angeles Terminal Railways, and the Los Angeles *Times*, of which Harrison Gray Otis, for many years the most unique figure in journalism on the Pacific Coast, had not long since become proprietor. The San Pedro cause, moreover, found an effective representative in the United States Senate in the person of Stephen M. White of Los Angeles. Few Californians in public life have enjoyed either the national distinction or the local admiration which fell to Senator White during his political career; and nothing contributed more to this popularity than his vigorous fight for the free harbor at San Pedro.

Only the most general summary of the long drawn out contest can be given here. The hearings before committees and the speeches in Congress were filled with technical discussions of the relative merits of the two ports. Currents, prevailing winds, holding grounds, and a hundred kindred subjects figured in the controversy, to the great confusion of the lay mind and without much enlightenment



to Congress. The upshot was that for four years neither side could gain an appreciable advantage, and the government failed to make an appropriation for either port.

In 1896, however, a special board of engineers, known as the Walker Board, from Admiral John G. Walker, its chairman, was appointed to make an examination of the two ports and recommend one or the other for the Congressional appropriation. After several months of investigation, this body brought in a voluminous report, signed by four of the five members, in which San Pedro was favored "as the location for a deep-water harbor for commerce and of refuge in Southern California."

Though Congress had intended the findings of this board to be final, and had authorized the actual work to begin when its decision was made, a further delay of two years ensued in carrying out the project. The common opinion of that day laid the blame for this upon Secretary of War Alger, who was accused of using his position to block the San Pedro enterprise at Huntington's instigation. Indeed, whatever merit the Santa Monica plan may have had, the Southern California public for the most part saw in it only an attempt of the Southern Pacific to shut other railroads away from deep water, so that its monopoly might not be interfered with, and to control a great public enterprise for its own ends.

Along with the public sentiment against the railroad arising from its actual or alleged political activities, went a hostility based upon economic grounds. The large land holdings of the company itself, and of the individuals connected with it, still remained a source of aggravation to the public mind. The rebates and discriminations, which were still practised in California as in other states, increased this discontent. Particularly in the agricultural sections men felt themselves so much at the mercy of the railroad that they became obsessed with a feeling of bitter futility, which was well summed up in the popular expression, "Out of three drops of rain which fall in the San Joaquin Valley, two are owned by Collis P. Huntington."

The failure of the State Board of Railroad Commissioners, which had been so vigorously fought for in the Constitutional Convention of 1879, to order great reductions in freight and passenger rates was especially galling to the public mind. It is true that very substantial reductions had been made from the high rates of the seventies, but these were not sufficient to satisfy the popular demand, and the Railroad Commission was looked upon as having fallen, like other political bodies, under Southern Pacific domination. The common opinion of the day regarding that body was thus expressed by S. E. Moffett, writing in 1896.

"The curious fact remains that a body created sixteen years ago for the sole purpose of curbing a single railroad corporation with a strong hand, was found to be uniformly, without a break during all that period, its apologist and defender. Not a single majority report was ever issued from the office of the Railroad Commission of a nature unsatisfactory to the company the Commission was established to control, so that the net result of the popular agitation for the new constitution in 1878, and of the various anti-monopoly agitations since has been the creation of a new Southern Pacific literary bureau maintained at public expense."

Though the Southern Pacific Railroad was the most outstanding object of popular suspicion and dislike, it did not have a complete monopoly of this distinction. Public service companies and large corporations generally, many of which hid behind the skirts of the Southern Pacific and profited from its political activities, came in for their share of condemnation. Writing in 1897, while Mayor of San Francisco, James D. Phelan summed up the current view as follows:

"We have the suspected corruption of public bodies, legislators, and supervisors; and even courts are exposed to the machinations of the corporations, which, with the Southern Pacific Company, the overshadowing monopoly of the state, have been classified by the people in impotent wrath as 'the associated villainies.' They have debauched politics and established a government within a government, more powerful in normal times than the State Government itself."



This hostility to the railroad and to corporation interests in general was, of course, not confined to California. Nor was the movement which later brought a new order of affairs in politics, established a new relation between government and corporations, and brought a change in public sentiment toward such companies, confined to the state boundaries. In California, however, there were certain influences which made this movement particularly effective. Not the least of these was the development of a large middle-class population (especially after 1900) with means, education, and leisure enough to take an active and intelligent interest in political affairs. It is almost unnecessary to add that many of these new comers were from Middle Western States and brought with them an instinctive desire for political experiment.

Before any particular change occurred in the state government, however, the two largest cities of California underwent a pretty thorough political overhauling, and the influence of these municipal reforms very materially affected the whole state. In 1902 the government of San Francisco passed into the hands of a notorious combination known as the Ruef-Schmitz régime. Though Schmitz was nominally mayor, the real leader of the organization was Abraham Ruef, a man of shrewd ability, but of very low political ideals. Masquerading behind the livery of the Labor Union Party, Ruef and Schmitz succeeded in building up a very effective political machine, and after once attaining office kept the city under their control for six disgraceful years.

The revenue which was necessary to keep the machine intact came from many sources. An organized ring in control of illegal prize fights in the city contributed liberally to the Ruef-Schmitz exchequer. So also did privileged gambling houses, saloons, dens of the Barbary Coast, and more respectable establishments in other parts of the city euphemistically known as "French Restaurants."

These, however, were not the worst aspects of the system of government from which San Francisco suffered. The more outstanding evil of the Ruef-Schmitz administration

was the relation between the municipal officials and certain important public services corporations within the city. These companies, like the saloons and brothels, also paid tribute to the political machine. Whether they were victims of official blackmail, under which they could operate and obtain legitimate franchises only as they resorted to bribery; or whether, in order to secure privileges and immunities hurtful to the public interest, they were willing to corrupt the very springs of government, is too largely a matter of individual opinion for discussion at this time.

Irrespective of where the primary guilt lay, it was obvious that the people of San Francisco were suffering in many tangible ways from a moral collapse in municipal affairs. By 1906 conditions had become so bad that a small group of citizens, including Fremont Older of the San Francisco *Bulletin*, Rudolph Spreckels, and James D. Phelan set about a systematic campaign to clean up the government and punish the chief criminals. Aided by President Roosevelt, this group engaged the services of Francis J. Heney, who had just won national distinction from his prosecution of certain timber frauds in Oregon, and also of William Burns, later of the United States Secret Service. Before much headway had been made in the investigations, however, the great earthquake and fire of April 18th reduced the city to ruins and temporarily checked the reform movement.

The confusion arising from the great disaster to San Francisco afforded even larger opportunities for graft than Schmitz and Ruef had previously enjoyed. While the people of the stricken community, with unquenched optimism, were planning to rebuild their city on a more substantial basis, the United Railways Company, which at that time monopolized the local traction business, secured from the Board of Supervisors permission to continue operations under an overhead trolley franchise, instead of installing an underground cable system, similar to that in use in Washington, D. C. In this transaction the company was charged with having paid $200,000 to secure the necessary votes.

The unearthing of this and many other instances of graft



by the backers of the reform program, and the prosecution of the most notorious offenders, occupied months of time, and aroused the bitterest antagonism. At the very outset of the investigation, Ruef sought to remove the District Attorney, W. H. Langdon (an honest man who had slipped into office through inadvertence on Ruef's part), and to have himself appointed to the office in Langdon's stead. Failing in this, he also lost control of the Grand Jury and along with Schmitz had to face indictment and trial. The Supervisors, eighteen in number, were completely cornered and forced to confess their part in the corruption from which the city had suffered for so many years.

So long as Heney and his supporters confined their attention to Ruef, Schmitz, and the Supervisors, public opinion ran strongly in their favor. But with the next step, the trial of Patrick Calhoun and Tirey L. Ford of the United Railways, the "graft prosecution" as the movement was now called, at once lost support in many quarters.[4] As the trial proceeded, San Francisco experienced something of the old excitement and tenseness of Vigilante days. Most of the newspapers turned against the prosecution with a bitterness of invective rarely equalled in California journalism. Attempted intimidation gave place to actual violence. One of the Supervisors named Gallagher, whose testimony was vital to the prosecution, had his house blown up with dynamite. Fremont Older was kidnapped and carried as far south as Santa Barbara in what was believed to be an abortive effort to bring about his assassination. Heney was shot in the head while conducting the prosecution, but escaped a mortal wound. His assailant, apparently deranged, was imprisoned and later committed suicide.

For two years and more the graft prosecution continued. Every technicality known to the law was made use of to save the accused men. Juries were tampered with, witnesses intimidated, and public opinion befogged. The United

[4] Certain New York financial interests in control of the United Railways were afterwards held more responsible by the informed public opinion of San Francisco than the officials actually indicted. In other words Calhoun and Ford were cast for the rôle of scape goats.

Railway officials escaped conviction through a divided jury, and succeeded in having the remaining indictments dismissed. Officials of other public service corporations charged with similar violations of the law were never brought to trial. Schmitz was saved on a technicality by the State Supreme Court. Ruef alone was sent to the penitentiary.

The direct results of the attempt to punish misgovernment in San Francisco were thus disappointingly meager from the standpoint of decent citizenship. But the indirect effects of the graft prosecution were much more significant than would have been the conviction of any number of guilty citizens or corrupt officials. The evidence submitted at the trials of these men might not be sufficient to send them to prison; but it convicted them overwhelmingly in the public mind; and more important still, laid bare the evil workings of the system which they symbolized. Through the San Francisco graft investigation, the people of the state were both enlightened and aroused. Incidentally, too, the municipal government of San Francisco, for some time after the Ruef-Schmitz exposure, was honestly and efficiently administered by Mayor Taylor.

In the midst of San Francisco's unsavory disclosures, similar evidences of corruption were found in the municipal government of Los Angeles. As early as 1907 it was pretty generally surmised that certain city officials, headed by Mayor A. C. Harper, were in league with the disreputable elements of the underworld. Appointments to office were made without any regard to the fitness of the individual and often included men of notoriously evil character. The moral sense of the city was outraged, and its fears aroused lest the building of the great Owen's River Aqueduct, then on foot, should lead to wholesale raids upon the municipal treasury.

On January 7, 1909, Mr. T. E. Gibbon, the Editor of the Los Angeles *Herald*, began the real reform crusade with a series of articles entitled, "Is Vice Protected in Los Angeles?" These articles were run in wide columns enclosed in red borders. Accompanying the editorials were open letters to



the Chief of Police, giving undeniable evidence of the existence of scores of gambling centers and houses of prostitution in the city. Diagrams of the buildings where these illegal practices flourished, with almost no attempt at concealment, were skillfully added to give the needed touch of definiteness to the accusations. A clever cartoonist, with something of the art of Thomas Nast, furnished a still stronger appeal to popular indignation.

The direct connection between the violators of the law and the city administration was next revealed by the *Herald's* investigations. Three sugar companies known respectively as the Pacific Sugar Corporation, the Pacific Sugar Company and the Pacific Securities Corporation, had been organized by the Mayor and his intimate associates. Stock in the companies to a par value of $250,000 was then sold to the brewers, the saloon keepers, and the café proprietors holding liquor licenses throughout the city. An oil company, known as the Utah-Los Angeles Oil Company, was similarly organized and its stock marketed among the city's vicious elements, greatly to the profit of the Mayor and his companions. From the standpoint of the purchasers, this stock was valuable only as its possession brought immunity from police interference.

The *Herald's* crusade was continued until March 26th. In the meantime, the Evening *Express*, the Municipal League, and the District Attorney joined in the campaign. A minority of the Grand Jury also brought in a scathing report against the city administration. As a result of these revelations, a general uprising began against Harper and all that he represented. The Mayor's efforts to allay popular indignation by substituting better men for those previously appointed to office proved futile. A recall petition was circulated; and in the ensuing election, Harper, realizing his hopeless position and fearing further disclosures, did not venture to appear as a candidate. George Alexander, formerly a County Supervisor, was elected Mayor and a new era in Los Angeles politics began.

The San Francisco and Los Angeles reform crusades did

much to strengthen a political revolt which had started as early as 1906. Under the suggestive name of the Lincoln-Roosevelt League, this movement was formally organized in Oakland, August 1, 1907. Though nominally Republican in composition, the League had most of the characteristics of a non-partisan movement. Its platform, as originally announced, was as follows:

"The emancipation of the Republican party in California from domination by the political bureau of the Southern Pacific Railroad Company and allied interests and the reorganization of the state committee to that end."

"The selection of delegates to the next Republican national convention pledged to vote and to work for the nomination of a candidate for president known to be truly committed to, and identified with, President Roosevelt's policies and to oppose the nomination of any reactionary styled safe and sane by the great corporate interests."

"The election of a free, honest, and capable legislature, truly representative of the common interests of the people of California."

"The pledging of all delegates to conventions against the iniquitous practice of 'trading,' whereby political bosses effect nominations by bargains and sale, and the enactment of legislation penalizing such practices."

"The enactment by the next legislature of such laws as will give voters an advisory voice in the election of United States senators until such time as an amendment to the national constitution shall make that voice direct and absolute, which amendment we favor."

"The pledging of the candidates for the legislature to the enactment of such a primary election law as shall afford the party voter a direct voice in the selection of party candidates."

The program of the Lincoln-Roosevelt League was thus in keeping with the changed attitude toward social, economic, and political questions which was just then beginning to sweep over the United States. The old generation was rapidly passing away, and men everywhere were ready for new standards, new schemes of government, new political catch-words, and new leaders.

Almost from the outset the Lincoln-Roosevelt League



gained rapid headway in California. Much of its success was due to the newspaper support which it received. In Los Angeles the *Evening Express* and later the *Morning Tribune* aligned themselves with the new movement. Chester H. Rowell's Fresno *Republican*, accorded something of the same infallibility in the San Joaquin Valley that Greeley's *Tribune* had once enjoyed in New York, also championed the League. The Sacramento *Bee*, the San Francisco *Bulletin*, the Oakland *Tribune*, and a dozen other newspapers in various sections of the state likewise threw themselves into the new cause with an enthusiasm in which the zeal to purify politics was perhaps not wholly divorced from the desire to increase circulation.

The movement was also fortunate in finding capable and vigorous leadership.[5] Chief of its leaders, at least in his ability to command popular support, was Hiram Johnson. The final estimate of this man's character and the place he should occupy in the state's political history, must be left to the future's judgment. We of the present generation stand too close to see him in his true perspective. But whatever judgment history may finally pass upon Johnson—if indeed she finds it necessary to pass any judgment at all—friend and foe alike will admit his ability to win popular support. For nearly a decade he dictated the course of California politics.

The Lincoln-Roosevelt League, which formally merged into the Progressive Party in 1913, gained a partial control over the Legislature of 1909, and won a complete victory in the election of the next year. It is doubtful if public interest in California had ever been so keenly aroused by a state election since the bitter rivalries of Broderick and Gwin fifty years before. The campaign took on something of the character of a crusade especially directed against the evils of so-called "machine government," and the participation of

[5] Its first president was Frank Devlin of Oakland. Among the other influential members, then or a little later, were Ex-Governor John C. Pardee; A. J. Wallace, afterwards Lieutenant Governor; W. D. Stephens, the present Governor of the state; William Kent, Congressman from Marin County for three consecutive terms; and the various newspaper editors already mentioned.

corporations in politics. Because of the traditional unpopularity of the Southern Pacific Company in California, that corporation had to bear the brunt of these attacks; and to the great majority of voters the campaign became simply a concerted movement "to drive the Southern Pacific out of politics and destroy the old machine."

As a matter of fact, however, the Southern Pacific, even before the election approached, had ceased most of its political activities, and took no part in the campaign. The following statement, recently made by one of the company's chief officials, frankly states the position of the Southern Pacific at that time. After the lapse of more than a decade since the election, it ought at least to be read in a spirit of fairness.

"In time it became obvious to the managers of the Company that the disadvantages of these political activities so far outbalanced any possible benefits the Company would derive from them, that it became the policy to discontinue whatever political activities existed, and after 1893 it was the constant effort of the Company to divorce itself from its former relations to politics. This it had largely succeeded in doing prior to the time of Governor Johnson's election in 1910. In this campaign the Company took no part. Here and there, individuals who were friendly to the Company would naturally continue their political efforts, and no doubt some of these cases were referred to as proof that the Company was engaged in this campaign. It was fortunate that Governor Johnson's campaign, bristling with hostility to the interference of corporations in politics, and especially the Southern Pacific Company, afforded that Company a most favorable opportunity for terminating its political activities, because the election of Governor Johnson was considered by the public to be a defeat for the Company, and as the Company was careful to avoid any possible political activity thereafter it came to be accepted by the people of the State that the Company was out of politics, a consummation welcomed by the officials of the Company with great cordiality."

The control of the Governorship and the state Legislature after 1910 gave the Lincoln-Roosevelt leaders free scope to



put their platform into practical effect. This was done with a thoroughness not usual in political affairs. Measures like the referendum, the initiative, the recall, the direct primary and the popular election of United States Senators, to render the government more responsive to popular will, were grafted on to the constitution. Laws affecting conditions of labor were freely enacted. Additional powers were bestowed upon the State Railway Commission and its jurisdiction extended over other public utility corporations throughout the state.[6]

In this fashion the Lincoln-Roosevelt League fulfilled its pledge, and California began another stage of her political career as an American state.

[6] The Wright Act of 1909 had, however, already materially enlarged the powers of the Commission so far as the railroads were concerned.

CHAPTER XXIX

MATERIAL PROGRESS

SINCE the beginning of statehood, less than seventy-five years ago, the economic progress of California has been so remarkable that one cannot attempt to describe it without seeming to exaggerate. Wonders have become commonplace, and the prophecy of yesterday falls short of the reality of today.

According to the federal census, the population of the state in 1850 was 92,597. Ten years later it had risen to 379,994, and within the next decade reached 560,247. After the census of 1870 the influence of the railroad began to be strongly felt in the immigration of eastern people to California, and the population by 1880 had grown to 864,694. The closing years of the next decade witnessed, especially in Southern California, one of the strangest social phenomena in the history of the state. This was the real estate boom of 1887, or the "Great Boom," as it was fittingly called by those who watched its meteoric progress and collapse.

The "Great Boom" was the resultant of many factors. From the time of the completion of the Central Pacific Railroad a consistent campaign had been carried on in the eastern states to induce people to come to the Pacific Coast. The ordinary forms of commercial advertising were supplemented by a great variety of books and magazine articles descriptive of California, its climate, and resources. Charles Nordhoff, T. S. Van Dyke, John S. Hittell, and many others added their contributions to the general publicity the state was receiving. Even such books as Helen Hunt Jackson's *Ramona*, and Robert Louis Stevenson's *Silverado Squatters* carried the name and fame of California across the moun-



tains and helped to arouse an interest in the state among prospective immigrants. A paragraph from B. F. Taylor's *Between the Gates*, published in 1878, will illustrate the character of a certain type of these descriptions of California:

"Whoever asks where Los Angeles is, to him I shall say: across a desert without wearying, beyond a mountain without climbing; where heights stand away from it, where ocean winds breathe upon it, where the gold-mounted lime-hedges border it; where the flowers catch fire with beauty; among the orange groves; beside the olive trees; where the pomegranates wear calyx crowns; where the figs of Smyrna are turning; where the bananas of Honolulu are blossoming; where the chestnuts of Italy are dropping; where Sicilian lemons are ripening; where the almond trees are shining; through that Alameda of walnuts and apricots; through this avenue of willows and poplars; in vineyards six Sabbath-days' journey across them; in the midst of a garden of thirty-six square miles—there is Los Angeles."

Land was still relatively cheap in California and as irrigation developed and the agricultural possibilities of the state became better known, especially the adaptability of certain favored sections to grapes and fruits, a steady stream of prospective buyers came annually from the east. Real estate companies, boards of trade and chambers of commerce added their literature and advertisements to the publicity campaign, and by the early eighties the foundations for a boom were well laid.

The chief obstacle retarding the immigrant movement was the high railroad fares from eastern points to California; and it only required a reduction of these to bring about an immediate rush of settlers to the coast. The completion of the Sante Fé Railroad in 1885 effected the desired end. In January, 1886, this road withdrew from the Transcontinental Traffic Association and precipitated a rate war with the Southern Pacific between eastern cities and California.

At the time this rate cutting began, tickets from Mississippi Valley points to Los Angeles cost about a hundred and twenty-five dollars. Within a few months this rate had

been greatly reduced; and as the war went merrily on, the railroads almost carried people to California free of charge. A five dollar rate from Missouri to Los Angeles remained in force for three months; and at least for one day during the keenest period of competition, the fare was actually lowered to a dollar. When the period of insanity passed and the railroads ceased their suicidal rivalry, rates were restored to something like a normal basis; but even so, they did not again reach the high levels prevailing before the advent of the Santa Fé.

In the meantime the boom was on. Already interested in California by the attractive reports of its climate and resources, prospective settlers and tourists by the hundreds took advantage of the low rates to travel to the coast. Los Angeles and Southern California became the center of this immigration of the eighties, as San Francisco and the gold fields had been the center of the migration from 1849 to 1852.

With the arrival of the new comers, Los Angeles real estate began to rise sharply in value. The movement at first was orderly enough, but soon began to take on the worst features of an unsound and inflated boom. Before a year had past, the boom had become a financial debauch. Most of those who took part in the speculative craze were newly arrived from the east; but many of the older residents at last caught the fever and either sold their real estate holdings at exorbitant figures; or, having lost their heads in the contagion, competed with the so-called "green horn" purchasers from the east for an opportunity to lose their money as well.

Those responsible for the worst features of the boom, however, were outlanders from the Middle West—"professional boomers," as they were afterwards called, who, learning of the increasing interest in California real estate, flocked into Los Angeles by the score and resorted to every conceivable device to inflate prices and stimulate sales. Highly colored literature, supposedly descriptive of the climate and resources of Southern California, was scattered broadcast all over the United States, and even over Europe.



Of the means employed locally to attract prospective buyers, J. M. Guinn, who lived through the boom period and saw in person the spectacular features of the craze, thus wrote:

"The methods of advertising the attractions of the various tracts, subdivisions and town sites thrown on the market, and the devices resorted to to inveigle purchasers into investing were various, often ingenious and sometimes infamous. Brass bands, street processions, free excursions, and free lunches, columns of advertisements rich in description and profuse in promises that were never intended to be fulfilled, pictures of massive hotels in the course of erection, lithographs of colleges about to materialize, lotteries, the prizes in which were handsome residences or family hotels, railroads that began and ended in the imaginations of the projectors—such were a few of the many devices resorted to to attract purchasers and induce them to invest their coin."

Under the stimulus of such advertising Los Angeles lots rose from $500 in 1886 to $5,000 the next year, and nearby ranch lands increased fourteen and fifteen hundred per cent during the same period. Vast tracts formerly used for grain fields or sheep pastures were subdivided into town lots and sold at an unheard of profit. Along the line of the Santa Fé Railroad from Los Angeles to the San Bernardino County line, a distance of thirty-six miles, twenty-five of these boom towns were started before the close of 1887.

Most of these particular towns, after years of struggle to live down their sinister origin, have since become flourishing communities, but many of their contemporaries suffered a cruel fate. Some even died a-borning. And no wonder! They were laid out on mountain sides, in the sandy washes of the San Gabriel River, on rocky, sterile brush lands without water or any other requisite of habitation, and even on the dry wastes of the Mojave Desert! Wherever, indeed, the imagination of an ingenious and unscrupulous agent could conceive a town, there one was established (at least on paper), and lots literally sold by the thousands.

Of the fate of these phantom towns, the following paragraph of J. M. Guinn gives an apt account:

"From a report compiled for the Los Angeles County Board of Equalization in July, 1889, I find the area included in sixty towns, all of which were laid out since January 1, 1887, estimated at 79,350 acres. The total population of these sixty towns at that time [1889] was placed at 3,350. Some of the largest of these on paper were without inhabitants. Carlton, containing 4,060 lots, was an unpeopled waste; Nadeau, 4,470 lots, had no inhabitants; Manchester, 2,304 lots, no inhabitants; Santiago 2,110 lots, was a deserted village. Others still contained a small remnant of their former population. Chicago Park, containing 2,289 lots, had one inhabitant, the watchman who took care of its leading hotel; Sunset, 2,014 lots, one inhabitant, the watchman of an expensive hotel which was in the course of construction when the boom burst. . . . The sites of a majority of the boom cities of twenty years ago have been returned to acreage, the plowshare has passed over their ruins, and barley grows in the deserted streets."

The early part of 1888 marked the beginning of the end of the Great Boom. Prices fell even more rapidly than they had risen. The bands, barbecues, free excursions, glib auctioneers, and crowds of dupes and speculators disappeared, leaving Southern California, after a somewhat painful readjustment of its affairs, to settle down into a less spectacular but much sounder period of development.

In the meantime the state as a whole had continued its steady growth. In the decade from 1880 to 1890 the population rose from approximately 865,000 to 1,213,398. Between 1890 and 1900 the increase was much less marked, and the census of the latter year showed a population of only 1,485,053. Within the next ten years, however, immigration from the east set in on a larger scale than ever before, and by 1910 there were 2,377,549 persons living within the state. An even greater increase took place within the next decade and the federal census of 1920 showed a population of 3,426,861.[1]

[1] In that year the five largest counties were as follows: Los Angeles, 936,455; San Francisco, 506,676; Alameda, 344,127; Fresno, 128,774; San Diego, 112,248. The five largest cities were Los Angeles, 576,673; San Francisco, 506,676; Oakland, 216,361; San Diego, 74,683; and Sacramento, 65,857.



The increase of population from 1850 to 1920, approximately thirty-six hundred per cent, has been accompanied by a commensurate development of the state's economic resources. Most fundamental of these is the progress made in agriculture. In this industry the state has passed through three stages. The pastoral era of the Spanish-Mexican régime, when cattle and sheep were almost the sole basis of wealth, was superseded shortly after American occupation by the supremacy of the grain ranches. These stretched for mile upon mile through the great Sacramento and San Joaquin Valleys, and along the arable coast lands between Bodega and San Diego. With the coming of the railroads, the development of irrigation, and the opening of eastern markets to California products, the grain ranches in turn gave place to fruit orchards, vineyards, alfalfa fields, truck gardens and all the varied branches of agriculture which today flourish in the state.

The early experiments of Mission priest and Spanish colonist showed the wonderful congeniality of the soil and climate of California for the production of oranges, grapes, and deciduous fruits of almost every kind, and as already indicated, some time after American occupation fruit orchards and vineyards began to be planted for commercial purposes. Grapes were grown at first chiefly for the manufacture of wines and brandies. Vast tracts were set to vineyards all over the state, and the wine industry became a widely advertised feature of California life. Table grapes were also grown in a smaller way; but until a much later date, the raisin industry was represented only by the so-called "dried grapes," of little flavor and slight commercial value. Today, however, the production of table grapes and raisins, has become one of the chief industries of the state. The central part of the San Joaquin Valley is preëminently the raisin section of California; and here, of late years especially, vineyard lands have risen surprisingly in value.

Of deciduous fruits produced in California there is almost no limit in quantity or variety. Thanks to the refrigerator car, much of the yearly crop can now be shipped to eastern

markets in its natural form. But by far the larger part of the yield is either dried or canned. No section of the state can claim a monopoly of the deciduous industry; but the peach orchards of the San Joaquin Valley, the prune orchards of Santa Clara, the apricot orchards of Ventura, the apples of Watsonville and Yucaipa, the cherries of Vacaville, the pears of Antelope Valley, and the figs of Fresno and Tulare have acquired something more than ordinary reputation.

One of the most valuable, and certainly the most distinctive branch of agriculture in California is the citrus industry. Owing to climatic conditions the production of oranges and lemons is confined almost entirely to certain favored sections of Southern California, with the Lindsey-Porterville-Exeter region of the San Joaquin Valley occupying a place of less importance. The history of the citrus industry, interesting and significant as it has been, cannot be traced here at any length. Two outstanding features in its development, however, should at least be mentioned. One of these was the introduction of the Washington Navel in 1873. This, a seedless orange imported from Brazil by the United States Department of Agriculture, almost immediately found favor in California and soon displaced the seedling varieties of fruit previously in common use.[2] For many years the Washington Navel and the so-called Valencia Late have furnished the overwhelming bulk of the orange crop of the state.

The second outstanding event in the history of the citrus industry—and without doubt the most significant contribution yet made to agricultural progress by the state—was the formation in October, 1895, of the Southern California Fruit Exchange. This organization, born of the dire necessity experienced in the early years of finding some method of protection against the ruinous charges of commission agents and high freight rates, was established on a purely cooperative basis among the orange and lemon growers of

[2] Two of these trees were sent to L. C. Tibbetts of the newly established Riverside colony. One of the trees is still living at the Glenwood Mission Inn of that city.



Southern California. In 1905 the field of the organization was widened, and it took the name of the California Fruit Growers' Exchange.

Originally designed as a shipping and marketing agency, the Exchange, as it is commonly known to its members, is today active in every department of the business. The intelligent coöperation and business efficiency which made its early success possible in the face of many difficulties and discouragements, have continued to mark its progress, until today the organization enjoys an international reputation as the most highly developed and successful enterprise of its kind in the world.[3]

The California Fruit Growers' Exchange, moreover, not only made possible the success of the citrus industry of California, but also pioneered the way by which almost every other branch of agriculture in California has been lifted to a new level. Thus, the grape growers have a similarly efficient and powerful organization known as the California Associated Raisin Company. Other organizations of a kindred nature have been effected among the peach growers of the state, among the prune and apricot ranchers, and among the producers of walnuts and almonds. Vegetable and melon growers, dairymen and poultrymen in certain localities have also organized their mutual associations along similar lines. Until it may be said without danger of exaggeration that coöperative enterprise has become one of the chief secrets of California's recent phenomenal agricultural development.

Another feature of the state's agricultural progress has been the steadily increasing emphasis upon the application of science to farm problems. The State University, through its many agricultural departments has done much in this direction. The State Agricultural Society and the United State government have also contributed largely to the advance of the industry in California. In special fields,

[3] The exchange today handles 75% of the citrus production of California, and its nationally advertised Sunkist Brand of oranges and lemons has become a household word throughout the United States.

such as that of the citrus industry, the powerful coöperative organizations already spoken of, have developed unusually successful departments of investigation and research for the benefit of their members. Some sixteen local farm magazines, of a special or general nature, also contribute their quota to the advance in agricultural knowledge. Many rural high schools have special departments for the teaching of animal husbandry, the operation and care of farm machinery, the selection of seed and kindred subjects; counties have their Commissioners of Horticulture; and there are also county Farm Advisers, supported at public expense, to advise with any rancher who may need their services and to study the local needs of their particular districts. In a word, ranching in California, as in other progressive states, has been brought to the level of a highly specialized and skilled business.[4]

Another feature of permanent significance in the state's agricultural progress has been the successful experimentation with new fruits and crops. The avocado industry, for example, though still in its beginning, promises to develop into one of the most distinctive and valuable forms of horticulture in Southern California. Long before California became a state the adaptability of its soil and climate to cotton and rice growing had been pointed out, yet neither of these great staples was produced in commercial quantity until very recent years. Since 1910, however, vast areas in the Imperial Valley and the San Joaquin have been planted to cotton, and the value of the crop is annually over $15,000,000. Rice culture, similarly, has suddenly assumed a place of first importance in the Sacramento and lower San Joaquin Valleys and California has become the second rice producing state in the Union.

The sugar beet industry, though much older than cotton

[4] One of the latest and most promising experiments undertaken by the state government has been the establishment of the State Land Settlement Board for the purpose of colonizing unoccupied areas with persons of moderate means, under the supervision of expert agricultural advisers. The first colonies of this kind, located at Durham in Butte County and at Delhi in the San Joaquin, have met with most gratifying success.



or rice production in California, was still in the experimental stage as late as 1890, and only since 1900 has it risen to first rank proportions. Bean culture has also become a distinctive California industry in recent years and in 1918 the crop was valued at nearly $50,000,000. Truck gardening for eastern as well as for local markets has similarly been a matter of recent growth; and today vegetables from the Imperial, San Gabriel, San Fernando, lower San Joaquin, and Sacramento Valleys, as well as from a dozen other favored sections in the state, not only supply the local needs of over three million people and the demands of dozens of great canneries, but also go, literally by the hundreds of trainloads, to the tables of the Atlantic seaboard and the Mississippi Valley.[5] The cantaloupe industry, especially in the Imperial Valley and the Turlock district of the San Joaquin, has assumed astonishing proportions within the last decade; and in 1920, 13,000 carloads were shipped to eastern markets.

Dairying, the production of thoroughbred cattle and hogs, and the raising of poultry are also becoming of increasing importance year by year. The last named industry, especially, has enabled many people of small means to find an independent livelihood, who otherwise would have been forced to join the ranks of the clerks or wage earners in the cities.[6]

The large scale production of these varied types of agricultural products has been paralleled by the reclamation of great areas of swamp and overflow land (notably in the lower Sacramento and San Joaquin basins), and of even larger areas of arid or desert land by the drilling of wells and the building of irrigation works. The history of this feature of the state's development is too long to be told in this volume, but mention must at least be made of the most noteworthy enterprise of this kind in recent years.

When, a hundred and fifty years ago, the old Spanish colonizing expeditions crossed the Colorado River into Alta

[5] The vegetable shipments from California in 1920 were estimated at nearly 40,000 carloads, exclusive of cantaloupes.

[6] Live stock values in 1920 totaled $204,378,000. Dairy products sold for $52,500,000; chickens and eggs for $25,187,000; and the wool clip for $5,762,000.

California they found themselves in a region of sandy wastes, destitute of water, covered only with the grotesque flora of the desert, and (if the crossing were attempted in the summer), almost unbearably hot for man and beast. Three quarters of a century later, when Kearny's forces entered California from New Mexico, they found the same weary land of sand and heat stretching before them, from the Colorado to the San Diego mountains. The following paragraph, written by Colonel Emory in 1846, is faintly descriptive of this region over which the American soldiers toiled so many years ago.

"The desert over which we had passed, ninety miles from water to water, is an immense triangular plain, bounded on one side by the Colorado, on the west by the Cordilleras of California, the coast chain of mountains which now encircle us, . . . and on the northwest by a chain of mountains running southeast and northwest. It is chiefly covered with floating sand the surface of which, in various places, is white with diminutive spinelas and everywhere over the whole surface is found the large and soft mussel-shell."

A certain Dr. Wozencraft, United States Indian Agent at San Francisco from 1850 to 1860, became the first enthusiast for the development of the region, which he first visited in 1849 and afterwards described, with a certain pardonable exaggeration, as "the most formidable of all deserts on the continent." Wozencraft labored from 1850 to 1888 to carry out his ambition, and at one time (1859) succeeded in securing from the California Legislature a grant to all state lands in the basin, providing his reclamation plans should be effected. Congress apparently was disposed to take similar favorable action, when the outbreak of the Civil War ended the proposed legislation.

The construction of the Southern Pacific Railway from Los Angeles to New Orleans by way of the San Gorgonio Pass and Fort Yuma stimulated a new interest in the desert region through which the line ran for so much of its course. Early in the nineties, a young engineer named C. R. Rockwood became interested in the diversion of water from the



Colorado for the irrigation of the land west of the river and succeeded in enlisting some financial support. By 1896 considerable preliminary survey work had been accomplished and a corporation known as the California Development Company had been organized under the laws of New Jersey, with A. H. Heber as its president.

For four years this company made little progress toward obtaining the capital necessary for the success of its enterprise; but in 1900, George Chaffey, a noted engineer and capitalist of Southern California, became actively concerned with the project, and under his management the irrigation of the valley was finally begun in the spring of 1901.

The magnitude and novelty of reclaiming a desert by diverting the waters of a great river appealed to the American imagination, so that wide publicity was immediately given to the Imperial undertaking. Colonists, sightseers and speculators began to visit the valley in considerable number; and, despite financial difficulties on the part of the California Development Company and internal friction among its directors, coupled with a most unfavorable report on the agricultural possibilities of the valley by the United States Department of Agriculture, a fair sized boom was in progress by 1903.

The development of the valley, though hindered by many factors, especially the uncertainty of boundary lines and land titles, continued without serious interruption until the great floods of 1906. In that year the Colorado almost bodily left its old outlet to the Gulf, cut a new channel through the heart of the Imperial Valley, and poured its waters into the vast inland sink, since known as Salton Sea. For many dangerous weeks the rising waters threatened to engulf the ranches and settlements of the valley, and destruction seemed to await the whole Imperial project.

The closing of the breach through which the river had escaped, was a task of too great magnitude for the California Development Company, or the settlers of the valley. The aid of the federal government and the full strength of the Southern Pacific Railroad, whose through line east was

menaced by the runaway river, was accordingly given to meet the emergency. Fortunately, in the person of Epes Randolph, one of the genuine pioneer railroad builders of the southwest, a man was found capable of dealing with the situation. The struggle went desperately on during the summer and fall of 1906, while the people of the valley waited with deep anxiety the advent of the winter and spring floods. Twice, at least, when the rains came earlier than had been expected, the Colorado got beyond control. But in February, 1907, the last break was closed and the river resumed its fretful way to the Gulf.

Once released from the menace of the Colorado, the Imperial Valley underwent a transformation tritely spoken of as amazing. The fertility of the soil, coupled with the intense heat of the summers and the mild winter climate, produced enormus crops of almost every variety. Barley, sorghum, milo maize, and alfalfa; early vegetables, such as lettuce, tomatoes, and peas; cotton, corn, cattle, and hogs; milk, butter, eggs, and turkeys for the Thanksgiving and Christmas markets; grapes that ripen before the frost is well out of the ground in New England; and a cantaloupe harvest so large that a day's pick from a single shipping center often fills two hundred freight cars—such today are the products of Imperial Valley where two short decades (or a little more) ago were only desert waste and sand!

The present state of California agriculture, which is the result of the many factors already enumerated or hinted at in the preceding pages—climatic and soil conditions, reclamation projects of many kinds, a highly intelligent rural population, and the many aids to scientific agriculture, can best be shown, even at the risk of incurring criticism for the use of statistics and figures in a narrative history, by the following tables:



CALIFORNIA COMMERCIAL OR HARD CROPS, 1920

Fruit	*State Production*	*Value of Crop Dollars*
Almonds	5,500 tons	$ 1,980,000
Apples	3,000,000 boxes	9,605,000
Apricots	115,000 tons	9,775,000
Cherries	15,000 tons	3,000,000
Figs	10,000 tons	900,000
Grapefruit	About 328,000 boxes	984,000
Lemons	4,500,000 boxes	2,700,000
Olives	10,000 tons	800,000
Oranges	18,700,000 boxes	31,425,000
Peaches	345,000 tons	26,220,000
Pears	90,000 tons	8,100,000
Plums	35,000 tons	3,150,000
Prunes	95,000 tons	19,000,000
Walnuts	20,000 tons	8,600,000
Grapes—Raisin	180,000 tons	55,800,000
Table	160,000 tons	12,000,000
Wine	380,000 tons	24,700,000

Value of all Crops for 1920	*Dollars*
Cereals	$108,570,000
Other grains and seeds	38,349,000
Hay and forage	96,122,000
Vegetables	47,378,000
Fruits and nuts	270,911,000
All other crops	26,270,000
Total	587,600,000

Though occupying a much less spectacular position in California's economic life than at an earlier time, mining has consistently remained one of the state's important industries since the great gold era of 1849. At present there are approximately fifty minerals developed on a commercial scale; but the production of gold, chiefly by quartz mining and dredging, remains the most important feature of the industry, if petroleum be excluded. Silver, quicksilver, copper, borax, cement, and building stone are also produced in considerable quantities. The following table shows the value of the mineral products of California, exclusive of petroleum, for each tenth year since 1890:

1890	$17,655,000
1900	28,470,000
1910	50,730,000
1920	63,749,000

The lumber industry, which very early in the history of the state became one of its important assets, remains today a characteristic feature of California's economic life. The industry is localized chiefly in the Sierra Nevada Mountains of Central and Northern California, and in the coast counties north of the Russian River. The world's supply of commercial redwood (a beautiful, decay resisting timber) comes from the four counties of Santa Cruz, Humboldt, Mendocino, and Del Norte. The redwood cut equals nearly 500,000,000 board feet a year. Next comes western yellow pine, with an annual production of about 400,000,000 feet; Douglas fir, about 225,000,000 feet; sugar pine and white fir, nearly 125,000,000 feet each; and cedar, spruce and other minor woods sufficient to raise the total annual output to over 1,500,000,000 board feet.

One great natural resource has been denied to California. The state has no known coal deposits of any magnitude.[7] This lack of fuel for a long time proved a serious handicap to the development of cheap and efficient transportation and to the establishment of important manufactures. Two other agencies, however, (the one, especially, in comparatively recent times) have been drawn upon to make up for this deficiency of coal. These are petroleum and hydro-electric energy.

The history of the petroleum industry in California, fascinating as it is, must be passed by with only a meager and unsatisfactory reference. Oil exudes were found near Los Angeles over a hundred years ago, and the asphaltum which they produced was made use of to cover the roofs of early Spanish-California houses. The beginning of com-

[7] Iron deposits of great value exist in Southern California. At this writing there are movements on foot to exploit these in connection with the development of the coal fields of southern Utah and the San Juan Basin in New Mexico.



mercial production of petroleum in the Pennsylvania fields drew some attention in the early sixties to the possibilities of developing these oil deposits in California. And about this time the first commercial production is said to have been obtained in Pico Cañon, near the present town of Newhall; but no important development took place until the late seventies.[8]

Thomas R. Bard, afterwards United States Senator from California, Lyman Stewart, now Chairman of the Board of Directors of the Union Oil Company, and W. L. Hardison, were among the most important pioneers in the industry. Early in the nineties E. L. Doheny, now prominently identified with petroleum development in Mexico, and his partner, C. A. Canfield, began the production of oil in the Los Angeles fields by sinking a shaft with pick, shovel and windlass on a plot of ground near the western boundary of the city.

In those early years petroleum was valuable chiefly for the manufacture of kerosene and axle grease. Then the possibility of using crude oil for fuel became known, and sometime later it began to be used on locomotives instead of coal. From an economic standpoint, this was an invaluable aid to the development of transportation in California, for the oil burning locomotive solved the expensive and perplexing fuel problem of the railroads.

Since the ever increasing demand for gasoline and lubricants, caused by the growth of the automobile industry, and the larger use of crude petroleum for fuel in transportation and manufacturing, the oil deposits of California have become one of the state's greatest assets. The chief producing fields lie in Kern, Orange, Fresno, Los Angeles, Santa Barbara, and Ventura Counties.[9] The remarkable increase in yield of the California wells may be seen from the following brief table:

[8] By 1865, however, over sixty oil companies had been organized in the state, most of which were of a purely speculative character.

[9] In order of production, 1920. Kern county, however, produced over three times as much oil as its nearest competitor.

Year	*Bbls.*	*Value*
To and inc. 1875	175,000	$ 472,500
1880	40,552	60,828
1890	307,360	384,200
1900	4,329,950	4,152,928
1910	77,697,568	37,689,542
1920	103,377,368	178,394,937
Total production	1,343,586,101	Total Value 992,840,949

The development of hydroelectric power, which is said to have been begun in California by the Chaffey brothers of Ontario in 1882, has come to be, especially in the last decade, one of the outstanding features of the state's new industrial life. The Sierra Nevada Mountains, with their abundant snows and never-failing streams, furnish a vast storehouse of power upon which the state can draw for its future industrial and transportation needs.[10] Many of the largest rivers of the state, such as the Pitt, Klamath, Feather, San Joaquin, King's, Kern, and Owen's have already been partially harnessed and made to furnish light and power for the cities, homes, street railways, manufacturing plants and irrigation works in the valleys below. Most of this development has been carried on by a few large public utility corporations, of which the Southern California Edison, the Pacific Gas and Electric, the San Joaquin Light and Power, the Western States Electric, and the Southern Sierras' Power Company are the most important.

But the cities of Los Angeles and San Francisco have also entered the hydroelectric field. Los Angeles has centered its activities in the Owen's River Valley, and along the 230 mile aqueduct which carries the water of that stream to the city. In 1920 the municipal power plants were producing close to 85,000 horse power, and the city was definitely committed to the policy of generating and distributing its own electric energy. San Francisco, though not as yet

[10] Already much has been done in the way of electric power development, both by means of water power and the use of steam generating plants. In 1902, $36,500,000 was invested in the industry; by 1920 the figures stood at $408,000,000.



actually supplying its citizens with light or power, has undertaken to build an aqueduct from the Hetch-Hetchy Valley, which lies some distance above the Yosemite, to secure an adequate water supply, and will shortly have its power plants in operation as an integral part of that enterprise.[11]

In 1920 the hydroelectric plants of California supplied approximately 1,000,000 horse power. But this marks only the beginning of the industry, and probably represents less than one-fourth of the state's potential capacity—an estimate which does not include the vast resources of the Colorado River, to which Southern California is already looking as an additional source of power.

The use of petroleum and the development of hydroelectric energy, as already indicated, have in recent years made possible the creation of an industrial life formerly regarded as impossible for California. Other factors, such as an abundant supply of raw materials, shipping and transportation facilities, ever widening markets, favorable conditions *of* labor and *for* labor, and the rare advantages offered by nature in the way of climate, have also played an important part in this new feature of the state's economic life.

The results of the federal census of 1920 are not yet available in detail for an adequate survey of California's industrial growth since 1910. Suffiicent material, however, is at hand to show at least the broad features of this progress. In 1899 California had 4,997 manufacturing establishments, which employed 77,224 persons and represented a capital investment of $175,468,000, with a total output valued at $257,386,000. In 1914 there were 10,057 establishments, employing 139,481 persons, representing a capital investment of $736,106,000, and having a total output of $712,801,000. According to the preliminary figures for 1919, the number of establishments had risen in that year to 11,942, and the number of persons employed to 243,000. A total of

[11] The estimates of the potential capacity of the Los Angeles and San Francisco municipal projects vary widely. A fair approximation would set 260,000 horse power as a minimum.

$1,333,382,000 was invested in California manufactures, and the value of the yearly production came to $1,981,410,000—or an increase of approximately 6,700 per cent in twenty years.[12]

The development of transportation facilities has kept pace with the industrial and agricultural progress of the state. The history of steam railroad building has already been dwelt upon in previous chapters and need not be repeated here. Nearly 3,000 miles of electric road are also now in operation in California, serving the local needs of the chief cities and the demands of interurban transportation. Chief of these systems is that of the Pacific Electric Railway Company, originally built by Henry E. Huntington but now a subsidiary of the Southern Pacific Company. This line, with its center in Los Angeles, has not only knit the surrounding cities into a compact community with the larger city, made possible the upbuilding of hundreds of square miles of rural territory, and furnished easy access to the beaches and mountains for the city's population, but has also prevented, perhaps as much as any other agency, the development of a congested tenement and slum district in Los Angeles by enabling the wage earner and small salaried man to own his own home in one of the many subdivisions which have sprung up along the company's various lines.[13]

Passenger and commercial automobiles, it is a truism to remark, have also worked a revolution in the development of transportation throughout the state. The 2,800 miles of paved highways in California have become a great drawing card for the eastern tourist. They have also furnished the means for developing a huge freight and passenger business by means of automobile trucks and commercial stages. Best of all, they have encouraged travel among the people of the state, and thereby vastly widened the horizons of pleasure, added to culture, strengthened the spirit

[12] Space does not permit a description of one of the latest and most distinctive industries of California—that of the motion picture business, with its center in Los Angeles.

[13] The Pacific Electric Company operates 1,092 miles of track.



of unity, and bred an appreciation, deeper than ever before, of California's resources, beauty, and charm.[14]

With the state's material progress along other lines there is no space to deal, and only a few bare figures can be used to sum up the results of this great economic advance.

The assessed valuation of real and personal property in California from 1850 to 1920, using the figures for each tenth year, was as follows: [15]

Year	*Amount (Rounded)*
1850	$ 57,670,000
1860	148,193,000
1870	277,538,000
1880	666,400,000
1890	1,101,137,000
1900	1,217,648,000
1910	2,372,944,000
1920	4,551,583,000

In 1920 the five wealthiest counties of the state, in order named, were Los Angeles with an assessed valuation of $1,275,751,000; San Francisco (city and county), $818,-074,000; Alameda, $302,649,000; Fresno, $169,426,000; and Sacramento, $130,162,000. Bank assets totaled $2,440,487,000. Exports and imports to the value of $487,000,000 passed through the chief ports. Among the states of the Union, California ranked eighth in population, fifth in banking capital, fourth in general agriculture, fell a few thousand barrels short of holding her accustomed first place in the petroleum industry, and surpassed all her competitors in the output of gold and horticultural products.

As one scans the figures cited in this chapter, his mind recalls the old predictions of William Shaler, Richard Henry Dana, Waddy Thompson, Thomas O. Larkin and the other

[14] The automobile registration of California in 1912 was slightly in excess of 88,000. In 1920 it was nearly 569,000.

[15] The assessed valuation is not indicative of the true value since real property is never assessed at its full value in California but commonly on a 50% basis.

early prophets of California's future. Yet today's prosperity and achievements surpass the destiny these enthusiasts foretold. The Californian, in very truth, is a citizen of no mean state.

The figures and tables contained in this chapter have been taken or compiled from federal and state official publications.



CHAPTER XXX

REVIEW AND PROPHECY

As the writing of this history draws to a close, the mind instinctively looks backward over those eventful years with which the volume deals. In this brief survey one sees first the faint awakenings of American interest in the Spanish province of Alta California. The New England merchants traffic again along the sunlit, poorly guarded coast; the shadow of Russia hangs for a moment over San Francisco Bay; the hide and tallow vessels laboriously collect their cargoes at every little port; Smith and the Patties pioneer a way across the continent; the first adventurous immigrants wind wearily down the mountain trails; and John C. Frémont fights his slow passage through the Sierra snows.

Then the scene changes. Jackson and Tyler have already pressed their futile negotiations upon the Mexican Republic for the province; Larkin seeks to bend the disaffection of the native leaders to the interests of his government; English ambitions hold a threat of danger to the program of the United States; the Sacramento settlers raise the crude Bear Flag as symbol of revolt; and finally a strong-willed President acquires California as the fruit of war.

The gold rush follows—a tumultuous beginning for the new day! Statehood then, and a time of social and political adjustment, when a restless people seek to accommodate themselves to ordered government and the restraints of law. Vigorously, too, they give themselves to the greater task "of making nature serve the purposes of man." They fill the treasury of the world with gold, reclaim an empire from the wilderness, turn the rivers into useful channels, meet the challenge of the mountains with a railroad, and securely lay the material foundations for a splendid state. Upon this

foundation later generations build—how swiftly and successfully the preceding chapter but just now sought to show.

So much for the past of California. What of her future? Of the state's increasing economic progress throughout the coming years there can be no doubt—so long, at least, as her mineral resources last, her soil retains its fertility, and nature takes no unwarranted liberties with her climate. Along less material lines, the promise of the future is no less attractive.

The last few years, especially, have witnessed a surprising growth of culture and education among the people of California, and an increasing emphasis upon the agencies which make for these things. Art galleries, libraries, and museums, either privately endowed or provided for from public funds, are being erected in ever larger numbers. Education, too, in the generally accepted sense of that word, has become almost a passion throughout California. The public school system, using the term to include all branches of education supported by the state, has justly acquired a fame of national and even international scope. Except in very sparsely settled regions, the old-fashioned school houses, unsightly and poorly built as generally they were, have been replaced by buildings architecturally beautiful and thoroughly equipped to minister to the comfort and efficiency of the students. Whether grammer school or high school, in rural communities or the largest cities, these attractive buildings, which so impress chance visitors to the state, stand as unmistakable evidence of the place education holds in public favor from one end of California to the other.

Of colleges, universities, and technical schools, the state has also many splendid examples; but in recent years the facilities of these institutions of higher learning have been sadly overtaxed to care for the students seeking entrance. The State University at Berkeley, founded nearly three-quarters of a century ago by a handful of earnest men under old Dr. Willey's leadership, has grown to be the largest university in the United States.[1] At Palo Alto, Stanford

[1] The enrollment for 1922, including students in the extension courses, is over 43,000.



University—established by Mr. and Mrs. Leland Stanford as a memorial to their son—long since won, and still maintains, a distinctive place in national educational life. The University of Southern California, situated in Los Angeles, and now having a total enrollment of over 5,000 students, stands as an abiding testimonial to the early Methodist belief in higher education.

Smaller institutions of a high grade collegiate character are Mills College near Oakland, the only women's college in the state; Pomona College at Claremont, founded under Congregational direction; and Occidental College, located about midway between the center of Los Angeles and Pasadena, a school of Presbyterian origin and traditions.[2] The California Institute of Technology, situated in Pasadena, is an engineering school exceptionally well equipped, and giving promise of great attainments in various fields of science.

The Lick Observatory on Mt. Hamilton in Northern California, and the even more renowned Carnegie Solar Observatory on Mt. Wilson, near Los Angeles, enjoy an international reputation for their part in broadening the knowledge of astronomy. The Golden Gate Museum in San Francisco; the Los Angeles County collection at Exposition Park; and the Southwest Museum, also of Los Angeles, are making valuable contributions in the fields of art, history and science.

Most of the cities and counties of California maintain public libraries of an excellent type. In Northern California, the State Library at Sacramento, and the libraries of Stanford University and the University of California are of out-standing importance. In Southern California the Los Angeles Public Library, so long serving a great need with efficiency and success, though poorly and inadequately housed, will shortly have a handsome and fitting building of its own. The Henry E. Huntington library and Art Gallery near Pasadena—the unique benefaction of Mr. Henry E. Huntington to the Southern California

[2] The names of Whittier College at Whittier, Redlands University at Redlands, the College of the Pacific at Stockton, and especially the Southern Branch of the University of California at Los Angeles should also be added to this list.

public—has already attained an international fame because of its priceless art and literary treasures and the rare beauty of its building.

To the realm of literature California has already made certain noteworthy contributions. Of these the works of Mark Twain, Bret Harte, Helen Hunt Jackson, John Muir, Frank Norris, and Jack London are perhaps the best examples. Among the nation's poets the names of Joaquin Miller and Edwin Markham are not unknown. Hubert Howe Bancroft and Theodore H. Hittell during their lifetime achieved a distinctive and permanent reputation in the realm of history; but the newer school of historians, with its center at the University of California, and to a lesser degree at Stanford, bids fair to win an even larger fame.

Indeed, in nearly every field of literature, as also in painting, sculpture, and music, California's greatness lies ahead rather than in the past. Though the prophecy lacks the pleasing feature of novelty, it at least contains the virtue of truth, that as these arts came to their full fruition under the warm skies of Greece and Italy many centuries ago, so here in California they will sometime flourish with all the vigor and beauty they enjoyed in those earlier lands. The Panama-Pacific Exposition at San Francisco in 1915 and the Panama-California Exposition at San Diego in the same year gave tangible evidence of the growing influence of this æsthetic spirit in the state.

There is, too, in California, with all its vigorous life and earnest purpose, a recognition of the value of leisure and wholesome recreation that modern society sadly needs. Here there is unlimited opportunity for outdoor pleasure. In few other states is it possible for motoring, tennis, and golf to be so universally indulged in by families of moderate means. The seashore, especially the numerous resorts from Santa Barbara to San Diego, furnishes a vast, all-year playground for the people. The Coast Range and Sierra Madre Mountains, and to a much greater degree the Sierra Nevadas, are a vacation ground for tens of thousands of Californians annually. Who shall say what it means to the welfare of a state



THE KING'S RIVER CAÑON



HEADWATERS OF THE TUOLUMNE



if even the smallest fraction of its population can stand on such a spot as Glacier Point, and see spread out before them a panorama, too full of splendor to be described, of mountains and snow and sunlit peaks? The Yosemite Valley, Lake Tahoe, Giant Forest, General Grant Park, the Feather River region, and the Humboldt County redwoods are all easy of access and internationally known. But no less wonderful for scenery and of even greater attraction to the more primitive lover of outdoor life are those regions, beyond the reach of ordinary tourists, through which run the headwaters of such great rivers as the Kern, the King's and the San Joaquin.

From many other aspects, life in California also holds peculiar distinction and attractiveness. Small towns and ranch communities are so closely linked to one another, and to the larger cities, by paved highways, electric railway lines, and telephones; so many labor saving devices are in use in the homes of these communities; and such a high standard of prosperity obtains among the agricultural population that the oppressive handicaps of isolation and drudgery, so long associated with rural life, have in large measure been abolished.

California cities, too, are fortunately seldom so congested and cramped for room as eastern cities; and the tenement problem, consequently, is not so common or acute. For persons of moderate, or even modest means, the typical dwelling is the bungalow, built in any one of a thousand different styles, and nearly always seen in a setting of flower gardens, shrubbery, and lawns.

Altogether, therefore, the citizens of California today enjoy a prosperity, an attractiveness of life, and cultural opportunities probably greater than those to be found among any other people. But these advantages are not all clear gain; and in certain of them, at least, may lie the springs of serious danger. It is more or less a maxim of history that increase of wealth tends to stifle the spirit of democracy and soften the fiber of a people. The stability of California, as of the nation itself, rests upon the broad

shoulders of the middle class. Only so long, therefore, as the great body of her citizens remain true to the old American virtues, and to the old American traditions, will the state's security be assured. In the luxury and ease of modern life, in the spread of lax ideas regarding morality and the sacredness of law, in the increasing demand for government to do for the individual what previously he has willingly done for himself, there are unmistakable evidences of danger.

Nor is this all. The unprecedented industrial development of the last few years, the disappearance of cheap land, and the rapid growth of an urban population have already brought to California the perplexing labor problems of the older states. Not as yet so aggravated or difficult to deal with as in older communities, the issues between capital and labor must sooner or later be solved in California, however, as in the nation at large, by justice and reason on either side, or they will destroy the very foundations of the social order.

Other problems also present themselves. By origin and tradition California is essentially an Anglo-Saxon state. Her people as yet are still largely of American stock, and hold fast to the American ideals of home, family, government, and religion. Today, however, currents of foreign blood are emptying into the main stream. California not only faces an Oriental problem (the danger of which to the superficial observer seems to rise and fall according to the proximity or remoteness of a political election), but also has in some respects the more serious task of assimilating an increasing number of un-Americanized Europeans. Most of these belong to the laboring population, but others rank higher in the social scale. So long, however, as the standards and ideals of a foreigner run counter to the fundamental traditions of this country, it makes scant difference whether he is literate or illiterate, a laborer or a millionaire. His presence under any condition constitutes an evil to the nation and to the state.

Indeed, in some respects the most serious problem now faced by the United States is how to remain *American*.



California as yet has not felt the full pressure of this issue, but with her rapid economic development and the ever increasing foreign immigration (using that term in a sense broad enough to include all those who are out of sympathy with the fundamental traditions of this country), she will soon be called upon to guard her heritage as an American state from perversion and extinction. It is altogether likely that this will prove her most difficult task.

Such are some of the problems which the future holds in store for California. They are no longer the problems of a frontier state, for California has long since outgrown the pioneer age, with its discomforts and simplicity, its crudeness and open-handedness, its provincialism and freedom from conventionality, its lack of so much that we today regard as essential to "the higher art of living," and its vigorous individualism, and has adapted herself to the changed conditions of the modern day. Her problems, accordingly, are the complex problems of a highly civilized, cultured, prosperous people. But the same strong spirit that three-quarters of a century ago pushed across the continent, transformed a Mexican province into an American state, and gave to that state boldness and vigor and wealth and ideals, will solve these newer problems also. So long as that spirit lives, and the fear of God remains in the hearts of her people, the destiny and greatness of California are assured.





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APPENDIX A

THE GOVERNORS OF CALIFORNIA, 1846–1922

Military Governors [1]

John D. Sloat	July 7, 1846
Robert F. Stockton	July 29, 1846
John C. Frémont	January 19, 1847
Stephen W. Kearney	February 23, 1847
Richard B. Mason	May 31, 1849
Persifer F. Smith	February 28, 1849
Bennett Riley	April 12, 1849

Governors since Statehood

Peter H. Burnett, 1849–1851	Democrat
John McDougal, 1851–1852	Democrat
John Bigler, 1852–1854	Democrat
John Bigler, 1854–1856	Democrat
J. Neely Johnson, 1856–1858	Know-nothing
John B. Weller, 1858–1860	Democrat
Milton S. Latham, 1860	Democrat
John G. Downey, 1860–1862	Democrat
Leland Stanford, 1862–1863	Republican
Frederick F. Low, 1863–1867	Union
Henry H. Haight, 1867–1871	Democrat
Newton Booth, 1871–1875	Republican
Romualdo Pacheco, 1875	Republican
William Irwin, 1875–1880	Democrat
George C. Perkins, 1880–1883	Republican
George Stoneman, 1883–1887	Democrat
Washington Bartlett, 1887	Democrat
Robert W. Waterman, 1887–1891	Democrat
Henry H. Markham, 1891–1895	Republican
James H. Budd, 1895–1899	Democrat
Henry T. Gage, 1899–1903	Republican
George C. Pardee, 1903–1907	Republican
James N. Gillett, 1907–1911	Republican
Hiram W. Johnson, 1911–1915	Republican (Progressive)
Hiram W. Johnson, 1915–1917	Republican
William D. Stephens, 1917–1919	Republican
William D. Stephens, 1919–Date	Republican

[1] Owing to the confusion in authority during the period of military rule there is some uncertainty as to the exact terms of the various governors from 1846 to 1850.

APPENDIX B

SHALER'S DESCRIPTION OF CALIFORNIA [1]

On the 24th of February [1805], I arrived without any remarkable occurrence on the coast of California, where we got plentiful supplies of provisions as usual, and were not unsuccessful in our collections of furs. The 14th of March, I paid a visit to the island of Santa Catalina, where I had been informed, by the Indians, that there was a good harbour. We remained there a few days only to ascertain that point. We found the harbour [Avalon] every thing that could be desired, and I determined that, after collecting all the skins on the coast, I would return to it and careen the ship, which she was by this time greatly in want of. After completing our business on the coast, we returned to Santa Catalina, and anchored in the harbour on the 1st of May. As I was the first navigator who had ever visited and surveyed this place, I took the liberty of naming it after my much respected friend, M. De Roussillon. We warped the ship into a small cove, and landed the cargo and every thing moveable, under tents that we had previously prepared for their reception. The Indian inhabitants of this island, to the amount of about 150 men, women, and children, came and encamped with us, and readily afforded us every aid in their power.

After caulking the ship's upper works, and paying, or rather plastering them with a mixture of lime and tallow, as we had no pitch, tar, or any resinous substance on board, we careened her. We found her bottom in a most alarming state: the worms had nearly destroyed the sheathing, and were found to be lodged in the bottom planks. I was now pretty well assured of what I had long before feared, that is, that she would not carry us back to Canton. We, however, repaired the first side in a tolerable manner, and paid it with a thick coat of lime and tallow mixed and hove out the other side, which we found far worse than the first. The keel and stern-post were nearly reduced to a honey-comb. It was necessary to heave her far out, in order to apply effectually such remedies as were in our power, but unfortunately we hove her rather too far, and she upset and filled. This was a sad misfortune. It did not discourage us, however, and we went to work with spirit and resolution to remedy it, and had the satisfaction of righting her the next day, without apparently having suffered any material damage. The day following we pumped and bailed out the water, and the day after hove the ship out a third time, but had the misfortune to find her leak so bad, that we were obliged to right her immediately. I

[1] This narrative, frequently referred to in the body of the text, contains the first known description of California by an American writer. It was first published in 1808 in the American Register, v. III. A copy of this work is in the University Library at Berkeley, but the writer knows of no other copy in the state. In its complete form the article contains much that relates to Shaler's experiences outside of California waters. This part of the narrative has been omitted here.



next determined to lay the ship ashore at high water, and endeavor to repair her when the tide should leave her. This experiment was tried without effect, as she buried herself so much in the sand, as to put it out of our power to do anything effectual; but the greatest misfortune was, that, as the tide came in again, we found the ship leak so bad, that both pumps were necessary to keep her free. This demanded an immediate remedy; and as the leak was known to be aft, I ordered the mizen-mast to be cut away in order to come at it. The leak was soon discovered by this means, but so situated that we could apply no other remedy than the lime and tallow that had been previously prepared for her bottom; this, mixed with oakum, was driven down on the leak, and we had the satisfaction to see it reduced by these means to one pump by the time she was afloat. We now burnt a large quantity of lime, which we made into stiff mortar, and put on the first, laying a platform of boards over it, and covering the whole with several tons of stones, to keep it firmly down. This new method of stopping leaks we found to answer very well, as, in the course of a few days, when the mass had consolidated, the ship made very little water. By the 9th of June, the ship was again rigged with a jury mizen-mast, our cargo on board, and we were again ready for sea. On the 12th, we bid adieu to our Indian friends, and left Port Roussillon with the intention of running down the coast, and, if we found the ship not to leak so much as to be unsafe, to run for the Sandwich Islands, where I determined to leave her, and to take passage in some north-west fur trader for Canton.

As one of the most important events of our voyage took place at the island of Santa Catalina and our long stay there gave us an opportunity of observing the manners and genius of its inhabitants, I shall here subjoin a brief description of them; to this I shall also add a general account of California, composed from such information as I collected during my voyage to that coast.

California is the northernmost and latest of the Spanish establishments in America. The origin of its name is unknown; it most probably was taken from some term in the native languages of the country. It was first given to the peninsula only, but has since been extended to all the northern country occupied by the Spaniards, the whole of which is now known by the name of the Californias. This country was first visited by the celebrated Sir Francis Drake, who gave it the name of New Albion, but that of California has since prevailed.

The Californias are bounded on the east by the gulf of the same name or Vermillion sea, and the country of the Colorado Indians; on the south and west by the Pacific ocean; and on the north by the unexplored regions of northwest America.

The south point of California, called Cape St. Lucas, is situated in latitude 22° 45′ N., and longitude 112° 16′ W. from the meridian of Paris. The western side extends in about a northwest direction to the post of St. Francisco, which at present forms the northern frontier of this country, and is situated in latitude 37° 47′ N. The eastern coast runs up in a direction little more northerly, to the head of the gulf, in latitude 31° 38′ N.; so that the widest part of the peninsula hardly exceeds thirty leagues.

California is naturally divided by a range of high mountains, called the Sierra Madre, that runs from south to north through its whole extension, and each side is bordered by a number of islands. Those on the western side, that form the canal of Santa Barbara, are St. Miguel, Santa Rosa, Santa Cruz, Santa Barbara, Santa Catalina, and Santa Clemente. Several of these islands

are large and well watered, and most of them are inhabited by Indians not yet converted. Further down is Guadaloupe, in latitude 22° 48′ N., sixty leagues from the coast, uninhabited, and no water near its shores. This island is very high, and of about thirty miles circuit.

Ciros [Cerros] is a large island of a triangular form, and about ninety miles circuit; its south point in latitude 28° 3′ N., and about twelve leagues from the coast. There are three small islands off the north end of this island, called San Benito, which together form a good harbour; and off the south end lies another small island perfectly barren. Water may be had on Ciros only; it also swarms with sea elephants, and on the others are large numbers of fur seal. There are several other islands further down the coast, but I am unacquainted with their nature and positions. The islands on the eastern coast are numerous, and some of them large; but they are perfectly barren, and afford nothing of any utility except salt. On this side also, in latitude — is an extinguished volcano, where great quantities of excellent sulphur may be gathered; in the same neighborhood there is an abundance of red ochre.

The climate of California generally is dry and temperate, and remarkably healthy; on the western coast the sky is generally obscured by fogs and haze, but on the opposite side it is constantly clear; not a cloud is to be seen, night or day. The northwest winds blow very strong eight months in the year, on the western coast, with very little interruption; the land breezes at that time are hardly perceptible; but in the winter months they are stronger and regular. In the months of January, February, and March, there are at times very high gales from the southeast, which render most of the bays and harbours on the coast unsafe at that season.

The face of the country is mountainous; the upper division is beautifully interspersed with pleasant and fertile valleys and plains, many of which are covered with fine forests of oak and other timber; these are almost universally remote from the seacoast.

The harbour of San Francisco is formed by the entrance of an immense river, which has been explored but a very little way from thence; otherwise, there are in California none of what would be called rivers in other countries, but many rivulets that run from the highlands into the sea. The lower division is uncommonly barren; it seldom rains there, and there are few springs of water, which grow annually scarcer, insomuch that they have been obliged, on that account, to abandon several missions that were formerly situated in fertile valleys, now parched up with drought; the southern part of the peninsula lying contiguous to the tropic of Cancer, is better watered and more fertile.

Most of the animals of Europe have been naturalized in California, where they have increased to a great degree: it is said that more than 80,000 cattle run wild in the mountains of the south part of the peninsula. This climate seems to be particularly favorable to horses and mules, as they retain their strength and vigour till past thirty years. The country abounds with deer, hares, foxes, wolves, bears, ounces, panthers, and a species of wild goat called veranda; in Upper California the moose deer is also found in great abundance, and there are great numbers of tufted partridges and quails.

Most of the fruits and vegetables of Europe have also been naturalized in California, where they come to great perfection. The only fruit peculiar to this country, that I have seen, is the pitaya; it is a species of the pricking pear, or Indian fig, and has a most delicious flavour. They also have a plant here



called the mixcal, which I have never seen in any other country, though I am informed it abounds in New Spain. This plant greatly resembles the aloes in appearance, and grows in great abundance on all the barren shores and mountains of Lower California. The manner of preparing it for use is as follows: when it has come to its point of maturity, which is easily known by the size and roundness of the heads, they begin by cutting off the top leaves, which uncovers the head, that in form very much resembles a cabbage; this they cut off as far down as it is tender: in this state it has a very disagreeable taste, and so acrid as to raise blisters on the skin. When they have a sufficient number of these heads collected, they make a kind of kiln, by scraping away the earth in a circular manner, and lining it with stones, where they heap up a large pile of dry brush, on the top of which they place the heads of mixcal, and set fire to it. When the pile is burned down to ashes, they withdraw the heads, and scrape away the ashes and stones, when they replace the mixcal in the kiln, and cover it with the hot stones and ashes, and the whole with earth when they heap another pile of dry brush on the whole, to which they set fire and leave it. At the end of three days, they open the kiln and withdraw the mixcal, which, in pealing off the outside cinders, is found to be transformed into a fine, transparent, delicious sweetmeat; as every head has a particular flavour, there is found in one kiln a great variety of pineapples, pears, quinces, etc., etc., and of a delicacy and richness of flavour hardly inferior to the best preserved fruits. The mixcal shoots up a stalk of several yards in height, and about the size of a man's arm, on the top of which grows a large yellow flower, in size and form resembling the sun flower; when the seeds ripen the plant dies. I do not know how long this plant is in coming to maturity, but as often as one is cut another springs from the root. This plant grows spontaneously, in great abundance, in the most barren parts, drawing its sustenance chiefly from the atmosphere: with a little care, it might be multiplied infinitely.

In the winter season, the bays and harbours of California abound with geese, brant, ducks, etc.; in some of the islands, as before mentioned, there are great numbers of sea elephants, and fur and hair seals; the sea otter is also found in great numbers, as far down as the 28th degree of latitude. There is a great variety in the quality of the fur of this beautiful animal, which I have reason to think is not entirely the effect of climate: those taken at the mission of San Luis, in latitude of 35°, are no way superior to those that are caught in latitude 28°; and yet the otter that are taken in the canal of Santa Barbara are superior to any, not only on this coast, but to any others that I have seen. This variety is probably owing to the difference of the food on which the animal lives: the climate also undoubtedly has its influence; and the furs of this coast, taken collectively, are certainly inferior to those taken in the high latitudes of northwest America; yet in the Canton market very little distinction is made between them. There are great numbers of whales in all the seas of California, and a great abundance of excellent fish; on the upper coast, sardines and anchovies are so plenty, that immense quantities might be taken in their season. But no encouragement is given to industry in this country; neither their fish nor furs can be introduced into New Spain, without paying a heavy duty.

The Indians that inhabit the shores and islands of the canal of Santa Barbara seem to be a race of people quite distinct from the other aboriginals of the country. They are a handsome people, remarkably sprightly, courteous, and intelligent, and display great ingenuity in all their arts. They make fine

canoes of small pine boards, sewed together in a very curious manner; these are generally capable of carrying from six to fourteen people, and are in form not unlike a whaleboat; they are managed with paddles, and go with surprizing velocity. They besides make a great variety of curious and useful articles of wicker work, and excellent pots and mortars of stone. The other Indians of this country differ very little among each other in their persons, genius, and manners: they are a dull, stupid people, of the ordinary stature, and far from comely. The fathers informed me, that, notwithstanding their apparent stupidity, they have some rude notions of astronomy; they distinguish the season by the movements of the heavenly bodies, and mark the hours of the night by the positions of the Great Bear and Pleiades. The canoes used on all this coast, except in the canal, are a very rude kind of machines, made of flags. The Indians of the canal have a tradition of a race of white men being shipwrecked on their coast, at some remote period: this they assign as the cause of the great difference in their favour before mentioned.

The inhabitants of California were formerly very numerous. In the journal of a voyage performed by Sebastian Viscayno, in 1602, to explore the western coast, and by Father Gonsag, a Jesuit, in 1746, to explore the gulf of California, by order of the court of Spain, it is remarked, that all along, wherever they passed, they found great multitudes of people. I have touched at a great number of the same places in the course of my voyages to this country, which are now solitary and deserted; not a soul is to be seen, except now and then a straggler from the neighbouring missions. One of the missionaries informed me, that, fifty years ago, they numbered 7,000 souls at the mission of the Purissima, in latitude 26° 30′, and that at present they do not exceed fifty persons. At present Lower California is nearly depopulated; no mission there numbers above 350 Indians; not more than three exceed 250; and the greater part have less than fifty persons.[1] It is difficult to imagine what can have been the cause of this extraordinary depopulation, in a country where no establishments but missions and garrisons have been made. At present, the miserable remains of these people are almost universally infected with the venereal disease, and numbers perish daily, in the most deplorable manner, with that loathsome disorder: as no pains are taken to stop it, there is reason to suppose, that in a few years it will entirely exterminate them. Upper California is still populous, and the same disorder rages there with the same violence. Captain Vancouver speaks in high terms of the successful practice of medicine and surgery by the Franciscan missionaries in this country; I have had a pretty large acquaintance with those gentlemen, and I have not known any one among them who appeared to have the least tincture of any science. This observation may also be extended to the Dominicans, who are a much politer order of men. They were always soliciting medicines and medical advice of me, and lamented the unfortunate situation of the country in that respect; many of them assured me, that there was not in all California one qualified physician or surgeon. I have also reason to think that Captain Vancouver has likewise overrated their abilities in the arts as well as sciences, as they have not as yet erected a single mill in Upper California, though the country abounds in materials and excellent situations, for both wind and water mills. In such circumstances, such a useful, and necessary, and simple piece of mechanism would hardly have been neglected, if they had known how to direct their

[1] For a description of the Lower California Missions in 1849, see Appendix C.



construction. At present, all their grain is ground by the tedious process of rubbing it by hand between stones, or beating it in mortars.

The Spanish population of the Californias is very inconsiderable; by the best information I could obtain, it hardly exceeds 3000 souls, including the garrisons, among which, even the latter, the officers excepted, there are very few white people: it principally consists of a mixed breed. They are of an indolent, harmless disposition, and fond of spiritous liquors. That they should not be industrious, is not surprising; their government does not encourage industry. For several years past, the American trading ships have frequented this coast in search of furs, for which they have left in the country about 25,000 dollars annually, in specie and merchandize. The government [sic] have all used their endeavors to prevent this intercourse, but without effect, and the consequence has been a great increase of wealth and industry among the inhabitants. The missionaries are the principal monopolizers of the fur trade, but this intercourse has enabled the inhabitants to take part in it. At present, a person acquainted with the coast may always procure abundant supplies of provisions. All these circumstances prove, that, under a good government, the Californias would soon rise to ease and affluence.

The government of this country may be considered as altogether military, although civil causes may be carried before the audience of Guadalaxara, in New Spain. The governor rules every thing, and no one undertakes to dispute the legitimacy of his decisions. The missionaries are also under his jurisdiction in civil matters, but he does not interfere with the Indians attached to the missions, except at the request of the fathers, who are their sovereign magistrates.

The political and military arrangements for the government of the Californias are as follows: the whole country is divided into six military districts, called presideos, or garrisons; these are, beginning with the northernmost, San Francisco, Monterrey, Santa Barbara, San Diego, San Vicente, and Loreto. In these presideos are distributed about four hundred cavalry, which forms the whole military force of California; they are each commanded by a lieutenant, except San Vicente, which is not properly a presideo, and is commanded by an ensign. The presideos furnish the necessary guards to the missions under their protection; generally from three to five soldiers, with a sergeant or corporal, to each mission. The soldiers also do the duty of couriers; and every occurrence of the least consequence is immediately transmitted by express to the governor. During the last war, small detachments of artillery were quartered in the principal presideos but they were withdrawn at the peace.

The Californias have, until lately, been under one government of which Monterrey was the capital; but I am informed that they are now separated. The division is at San Diego, and Loreto is the capital of Lower California. I am also informed that considerable reinforcements of troops are ordered to be raised in New Spain for that country.

The plan of civilization in the missions is to instruct the Indians in the Catholic religion, the Spanish language, the necessary arts, agriculture, etc.; but the notion of private property is not admitted among them; so that each mission forms an indivisible society, of which the fathers are the kings and pontiffs. The missionaries of the Franciscan order, in Upper California, have salaries of 400 dollars per annum; the Dominicans that are established below have but 350 dollars. The missions of California may be considered as so

many valuable estates or plantations belonging to the king of Spain, and capable, in case of a conquest of this country, of furnishing abundant supplies of all kinds of provisions, horses, etc.

I shall give the best account I am able of these missions, as far as I have information respecting them, together with the other establishments in the country, and its principal bays and harbours.

The missions of San Francisco, Santa Clara, and the Pueblo de San José, are within the jurisdiction of San Francisco. They are represented by Captain Vancouver as very fertile and flourishing, and are esteemed by the Spaniards to be among the richest establishments in the country.

Santa Cruz, near Point Ano Neuvo, and a pueblo of the same name in its neighborhood, form the northern frontier of the jurisdiction of Monterrey: the first was founded in 1789, and the second in 1790. Between that and Monterrey stands La Solidad, and near the presideo, El Carmelo. Further down the coast are situated San Antonio, San Miguel, and San Luis; the latter is the last to the southward within this jurisdiction. Those missions are none of them far removed from the coast; they are reputed rich by the Spaniards in stock and grain; and the account given by Monsieur de la Perouse of the extraordinary fertility of El Carmelo, justifies that report.

The mission of San Luis is situated from six to twelve miles from the coast, in a fertile valley, watered by several streams; it has 1000 Indians attached to it, and its annual productions are 5000 fanegos of wheat, 1500 fanegos of corn, with barley, oats, and pulse in proportion; it has also vineyards, and a plenty of fruit. The stock belonging to this mission exceeds 1000 head of horned cattle, besides horses, sheep, hogs, goats, etc.; its buildings are said to be excellent; even the habitations of the Indians are of stone and plaster. This mission has a commodious port, and a plenty of good timber.

The Purissima, situated near Point Conception, forms the northern frontier of the jurisdiction of Santa Barbara; it is watered by several streams, and is said to be little inferior to San Luis in fertility and abundance of stock.

Between this mission and Santa Barbara, was founded, in 1804, the mission of Santa Agnes [Ines] about three miles from the coast. It is well watered, is in a fertile spot, and bids fair to be ranked among their richest establishments in a short time. Its productions the first year were 1500 fanegos of wheat, and 500 of corn; the wheat was the production of thirty fanegos sown, that is, fifty for one.

Santa Barbara is situated in the neighbourhood of the presideo; it has 2400 Indians attached to it. I learnt no particulars respecting this mission, other than that it is very rich in stock and grain, vineyards and fruits.

San Buenaventura is situated about eighteen miles below the presideo, half a mile distance from the sea, where there is good anchorage and safe landing; it stands on the left margin of a charming valley, and has an extensive plain to the southeast of it, which, when I was there, was covered with cattle, and the valley appeared to be cultivated as far as the eye could reach. This mission was founded in 1784; it has 1200 Indians attached to it, and its stock of cattle is said to exceed 15,000 head, besides horses, mules, sheep, hogs, etc.; and its productions in grain, wine, etc., are equally abundant.

San Fernando is situated between Buenaventura and the Pueblo de los Angeles whereabouts I am unable to say, or how far from the sea: the Spaniards report it to be a flourishing establishment.

The Pueblo de los Angeles is about twenty-five or thirty miles in a north-



west direction from the bay of San Pedro, and forms the southeastern boundary of the jurisdiction of Santa Barbara. This village is composed of about 100 families, many of whom are in easy circumstances, and some possess from 3000 to 5000 head of cattle. This part of the country is fertile, and produces large quantities of grain and pulse; they are also rapidly advancing in the culture of the vine, and the wine produced here is of a good quality.

San Gabriel is situated about twelve or fifteen miles north from the bay of San Pedro, and forms the northwest frontier of the jurisdiction of San Diego. I learnt few particulars respecting this mission. It has 1200 Indians attached to it, and is reported to be very rich in Californian wealth, that is, cattle, grain, and fruits; they informed me that last year sixty casks of wine were made at San Gabriel.

About thirty-five miles down the coast stands San Juan Capristano [Capistrano], close to the sea shore, where there is safe anchorage and good landing nine months in the year. The situation of this mission is very romantic and delightful; in a charming valley, thickly shaded with fine trees, through which runs a fine stream of water. I learnt few particulars respecting the mission of San Juan, but they say it is not inferior in wealth to any in California.

Not far from San Juan Capristano is another mission, called San Luis Rey, of the resources and situation of which I am utterly ignorant.

Near the presideo of San Diego, is situated the mission of the same name. I know very little of this establishment, which is the last to the southward of the Franciscan order, except that it is esteemed inferior, in most respects, to all their others.

The missions of Lower California are hardly worth describing. San Miguel and Santa Catalina are the first, and terminate the jurisdiction of San Diego; they have each about 250 Indians, and produce little or nothing more than what is sufficient for their subsistence. San Thomas, San Vicente, San Domingo, and Rosario lie along the coast from the bay of Todos Santos, down to the 30° of latitude, and, with a mission lately established in the mountains, form the jurisdiction of San Vicente. These missions are of small importance; their Indian population are from 200 to 300 souls each. San Domingo is the best, and yields annually about 1500 fanegos of wheat, with other articles in proportion: it also produces a considerable quantity of very good wine, and feeds several thousand head of cattle. The others likewise produce a little wine, except Rosario which yields nothing, and is dependent on its neighbors for subsistence.

The missions of San Fernando and San Borja are the next down the coast; the first has 250 Indians, and the second 400. The wine of San Fernando is excellent, and San Borja has excellent fruits; but otherwise they produce nothing of consequence. These missions, with all below, are immediately dependent on Loreto. From San Borja down to San Josef del Cabo, there is not an establishment worth notice; even Loreto, the capital, produces nothing, and none of the missions have more than fifty or sixty Indians.

San Josef might, by encouragement, become a place of considerable importance; it is situated in a pleasant vale, that is well watered. There are few Indians at that mission, but there and at a pueblo not far inland from it, called San Antonio, there is a considerable Spanish population; I believe about 400 or 500 souls. They have a plenty of cattle, raise a good deal of corn, make some sugar and rum but raise no wheat. Here they have silver mines, which would be productive if they had the means of working them; the pearl fishery

is also of considerable importance: in some years they collect as much as twenty-five pounds of pearl. This part of the country is very mountainous, and tolerably well watered; it affords retreat and subsistence to an incredible number of wild cattle; they say upwards of 80,000.

The Spaniards have complete possession of the peninsula of California; but that is not the case above: there their domination is bounded by the Sierra Madre, which in no part is far removed from the coast; so that in reality they are masters of the maritime part of the country only. Beyond that range of mountains the country is remarkably fine, well watered, and covered with forests. These they have not as yet been able to penetrate, on account of their being thickly inhabited by warlike tribes of Indians. I am informed that the government have it in contemplation to establish lines of missions and garrisons from San Francisco to New Mexico, and by the country of the Colorado Indians to the same place, and by these means to complete the conquest of the country. But that is a project that does not seem likely to be very soon realised.

San Francisco, latitude 37° 47′ N. longitude — W., is a fine harbour, capable of receiving the largest ships, and affords plenty of wood and water. In its neighbourhood is a great plenty of timber proper for ship building, and the neighbouring establishment may afford ample supplies of provisions. This port is formed by the entrance of an immense river, never yet far explored, but it is thought to be of great extent. Its entrance is defended by a battery on which are mounted some brass eight pounders, which afford only the show of defence; and the place could make no resistance against the smallest military force; neither could its resources in provisions be easily removed out of the way of an enemy.

Monterrey is an extensive open bay, in latitude — N., and longitude — W. situated between Point Pinos and Point Ano Neuvo, lying from each other N. 72° W., and S. 28° E., 22 miles apart. It is formed by the coast falling back from the line of the two points nearly four leagues. The only part that is at all eligible for anchoring is near its south extremity, about a league within Point Pinos, where the shores form a cove that affords clear, good riding for a few vessels; and as there is always a land breeze night and morning, ships may always go out at that time. There is a miserable battery on a hill that commands the anchorage, but it is altogether inadequate to what it is intended for. Water and wood are plenty at Monterrey and the neighbouring missions are capable of furnishing abundant supplies of provisions. The garrison is situated immediately in the vicinity of the anchorage, where they have no works capable of affording defence.

Bernard's Bay, in latitude 38° 8′ 45″ N., and west longitude 123° 39′ 45″, is a very commodious anchorage, well sheltered against the prevailing winds: it is also protected from the southerly gales by a reef, and the holding ground is good; here is a plenty of wood and water, and the wealthy mission of San Luis is about two leagues distant. This bay is unknown to the Spaniards; it might, at a very small expense, be fortified so as to prevent a ship's anchoring there.

From Point Conception down to the mission of San Buenaventura, there is a great number of anchoring places, where wood and water may be had, and the rich missions in that neighbourhood are capable of furnishing large supplies of provisions. Indeed, this is the most agreeable as well as the most wealthy district in California.

About — miles to the eastward from Point Conception is the presidio of



Santa Barbara, with a very smooth, commodious anchorage, in good weather; but it is greatly exposed to the southerly gales. This place, like San Francisco and Monterrey, has only the show of defence, and would fall an easy conquest to the smallest ship of war.

The next anchorage on the coast is the bay of San Pedro: this bay is very spacious, and has good anchorage and shelter from the prevailing winds, but it is entirely exposed to the southerly gales. Here there is no wood, and, without digging wells, water cannot be procured at all seasons. The missions of San Gabriel and Pueblo de los Angeles are situated, the one twelve and the other twenty-five or thirty miles from this place: both of them are capable of furnishing large supplies of provisions.

Directly opposite to San Pedro lies the island of Santa Catalina, on the north side of which is a small but very fine port, where ships of any burden may ride in the most perfect safety at all seasons. As it is always smooth in this port, it is peculiarly proper for careening and repairing ships. There are several springs of water in its neighbourhood, which afford a sufficient supply of that necessary article at all times, and of the best quality. The proximity of this island to all this coast, from Point Conception to San Juan Capristano, renders its port of importance, as a winter harbour, to all ships that may have anything to do there in that season.

At San Juan Capristano, there is a tolerable safe roadstead in good weather, within the reach of a four pounder of the wealthy mission of that name.

San Diego is a very fine, secure harbour, formed by an extensive arm of the sea, the entrance of which is not a cable's length wide; there is nowhere less than four fathoms going in, and within there is safe anchorage for ships of any burthen. There is a sorry battery of eight pounders at the entrance: at present it does not merit the least consideration as a fortification, but with a little expense might be made capable of defending this fine harbour. The presideo is about four miles distant from the anchorage. A considerable force would be necessary to hold this post, as a landing might be effected on the back of it, at the false port of San Diego: the entrance of this port is said to be too shoal for ships.

The bay of Todos Santos is very spacious: at the bottom of it, there is safe anchorage at all seasons. It affords a scanty supply of wood and water, and has in its neighbourhood the missions of San Thomas and San Miguel; but, as they are poor, no considerable supplies could be expected here.

The bay of San Quintin is an extensive arm of the sea, with a narrow entrance, and difficult of access. This harbour is very secure, but affords neither wood nor water, and the missions in its neighbourhood are too poor and difficult of access to expect any considerable supplies from. Below San Quintin, there are a great number of bays, where there is safe anchorage; but, as they are destitute of wood and water, they are hardly worth describing.

Directly round Cape San Lucas there is a very commodious anchorage, called Puerta Segura, where there is very good water. The mission of San Josef is but a short distance from this place, but no considerable supplies could be expected there. There is safe anchorage directly opposite to the mission, where water is still more abundant.

In the gulf there are many fine harbours; those below Loreto generally afford water, those above rarely; and, as they offer no other resources, they are unworthy a description, except the bay de los Angeles, which is situated in latitude 29° N.: it is very spacious, and entirely locked in by a number of small

[illegible] — [illegible]gitude — is a place of considerab
[illegible] the capital of Lower California.
[illegible] serves as a point of commun
[illegible] sists of about fifty families, besi
[illegible] es, and is not fortified.
[illegible] from cape Palmo, in latitude —
[illegible] a north-west direction, up to the mouth
[illegible] ver to the continent is about — leagu
[illegible] ces nearly to a point at the head.
[illegible] mber of ports and commodious ba
[illegible] generally plenty and good, and in
[illegible] On the eastern side is situated
[illegible] vers, but no ports for vessels of b
[illegible] — which is large and comm
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there were forty-three villages or missions established below the 28th degree of latitude, where agriculture and the necessary arts were in a flourishing state: at present there is not above a dozen missions below the thirty-first parallel, and several of these do not possess above twenty Indians.

At the suppression of the Jesuits, the care of completing the conversion and civilization of the Indians of California was confided to the Dominicans, and the missionaries of that order were established in all the missions then on foot, and a commission given them to found others, as circumstances should dictate. The government of the country was new modelled on the present plan, and the missionaries received their salaries directly from the king.

In the year 1769, the court of Spain, alarmed at the progress the Russians were making on the north-west coast of America, determined to occupy Upper California, and to establish missions there for the conversion and civilization of its inhabitants. These they confided to the Franciscan order, on the same plan, and nearly the same conditions, that the Dominicans then administered the spiritual concerns of the lower division, and proceeded to the establishment of the garrisons already mentioned.

The mutual jealousies and selfish policy of the great European powers have been the causes that some of the most beautiful regions of the universe have long languished under the degrading shackles of ignorance and superstition; and the Spanish monarchy has been so long left to the quiet enjoyment of the finest part of the new world, that they have been at full liberty to extend their conquests there in every direction, without any other obstacles than the feeble opposition of the native savages. Any of the great maritime powers that should determine to give independence to New Spain, or wrest it from the Spanish dominion, would naturally seek to establish themselves in California, from whence, as a place of arms, they might carry on their operations against that defenceless kingdom with a certainty of success. This the Spaniards have doubtless forseen, and been beforehand in occupying it, with a view of forming a barrier to those valuable possessions. The foregoing shows that what they have yet done has had a directly contrary effect. They have, at a great expense and considerable industry, removed every obstacle out of the way of an invading enemy; they have stocked the country with such multitudes of cattle horses, and other useful animals, that they have no longer the power to remove or destroy them; they have taught the Indians many of the useful arts, and accustomed them to agriculture and civilization; and they have spread a number of defenceless inhabitants over the country, whom they never could induce to act as enemies to those who should treat them well, by securing to them the enjoyments of liberty, property, and a free trade which would almost instantaneously quadruple the value of their actual possessions: in a word they have done every thing that could be done to render California an object worthy the attention of the great maritime powers; they have placed it in a situation to want nothing but a good government to rise rapidly to wealth and importance.

The conquest of this country would be absolutely nothing; it would fall without an effort to the most inconsiderable force; and as the greatest efforts that the Spanish government would be capable of making towards its recovery would be from the shores of New Spain, opposite the peninsula, a military post, established at the bay of Angels, and that of San Diego fortified and defended by a competent body of troops would render such an attempt ineffectual. The Spaniards have few ships or seamen in this part of the world; the arsenal of

San Blass would be their only resource on such an occasion, and that might be very easily destroyed. But, admitting that the inactivity of the invaders should permit them to transport troops over to the peninsula, those that come from New Spain could not be very formidable, either in point of numbers or courage, and they would have to penetrate through Lower California, where they would not find even water in their march: all the other resources of that desolate country could be easily removed out of their way. They could not march round the head of the gulf: the natural obstacles to such an expedition would be very numerous; and they must besides force their way through many warlike nations of savages.

An expedition by sea to Upper California would be equally difficult for them; the bad weather they must encounter in winter, and the great length of the passage in summer, on account of the prevailing northwest winds, would render it a very precarious undertaking. In a word, it would be as easy to keep California in spite of the Spaniards, as it would be to wrest it from them in the first instance.



APPENDIX C

A FORTY-NINER IN LOWER CALIFORNIA

[THE following narrative is taken from the hitherto unpublished account of a gold seeker's expedition to California. The writer was W. C. S. Smith, who afterwards settled at Napa where he won some distinction as a newspaper editor.

The party to which Smith belonged left New York, January 15, 1849. In fifteen days they landed at Vera Cruz and crossed overland to San Blas, which they reached March 14th. Here they embarked on an old whaling vessel, long since condemned as unseaworthy, and set sail for California. The vessel touched at Mazatlan, where the already overcrowded passenger list was increased by forty or more Mexicans of the least desirable type. Poor food, lack of fresh water, and miserable accommodations led Smith and three companions to leave the ship when she put into the harbor of San José del Cabo and to undertake the long and extremely arduous trip overland from San José to San Diego—the full length of the Peninsula.

Smith's narrative of this Lower California expedition is particularly valuable because of the picture he draws of the hardships the goldseekers had to endure and the descriptions he gives of the Lower California missions. No attempt has been made to correct his spelling of Spanish names.]

San José is a village of about 500 inhabitants, situated on a narrow flat, formed by the mouth of a small stream, facing the ocean to the south. It is not much of a harbor. While we were there it was calm weather, but the combing waves were always rolling in upon the sand beach 8 or 10 feet high and it required skill and practice to make a safe landing or launch. One boatload from our ship was capsized and rolled over and over. A high steep and barren mountain overhangs the town on the north. On each side of the stream, as high as water can be led for irrigation, are growing oranges, bannanas, lemons, plantains, sugar cane and other tropical fruits. The people here make sugar in small brown cakes and eat it freely. They call it "panoche." During the war the town was occupied by a detachment from Stevenson's regiment. Two field pieces left by them were standing in the courtyard of the old mission. The place appears to be going to decay. We were treated well by the people. We got into a row with a Mexican army captain about a mule we were both trying to buy. He first threatened us with his pistols, but as we did not scare he appealed the case to the Alcalde, who, to our surprise gave the mules to us. The captain was bound on the same route, and when he found us proof against both bravado and law, was very willing to be friends. After two days bargaining we picked up, in addition to our pack mule, four spare bony horses, quite different from the sleek "caballos" we expected to find. About 12 M. April 10 [1849] we got off.

We hired an "hombre" to teach us the mysteries of packing a mule and to show us one league on the road to Todos Santos, at which place the old guide

said there were "many good Bestias for sale cheap." So we punched up old Joe—as we had christened the venerable animal that carried our scanty baggage—bade goodbye to the guide, spurred a trot out of our hacks and pushed along in good spirits. From this place I kept an imperfect journal which I shall copy verbatim, adding as memory serves, such remembrances as may be interesting to those for whom these things are recorded. I have confidences in their respect and affection, or would not risk their thinking my narrations "travelers tales."

April 10th—Left San José at 11 A. M. Country wild and rugged. Horses surefooted. Camped at sundown in the mountains, by a pretty stream. Scenery wild and romantic. I am thinking of some who are far away who will not forget me. We are in good spirits. This undertaking may be unwise, but it has the charm of novelty. 8 leagues. God prosper us! I well remember this first camp in a little mountain valley under a large live oak tree. I was the only one who understood camp life, and was by acclamation installed chief cook. I got us a supper of jerkie fried on the coals and coffee, which the boys pronounced first rate. We all ate with perfect gusto. Nye remarked, "Those poor fellows at sea, how I pity them." Even old Miller got up a grim smile. We all joined in singing "Old Virginia" and "I'm bound for California" till the rocks rang again, then rolled up in our blankets quite happy.

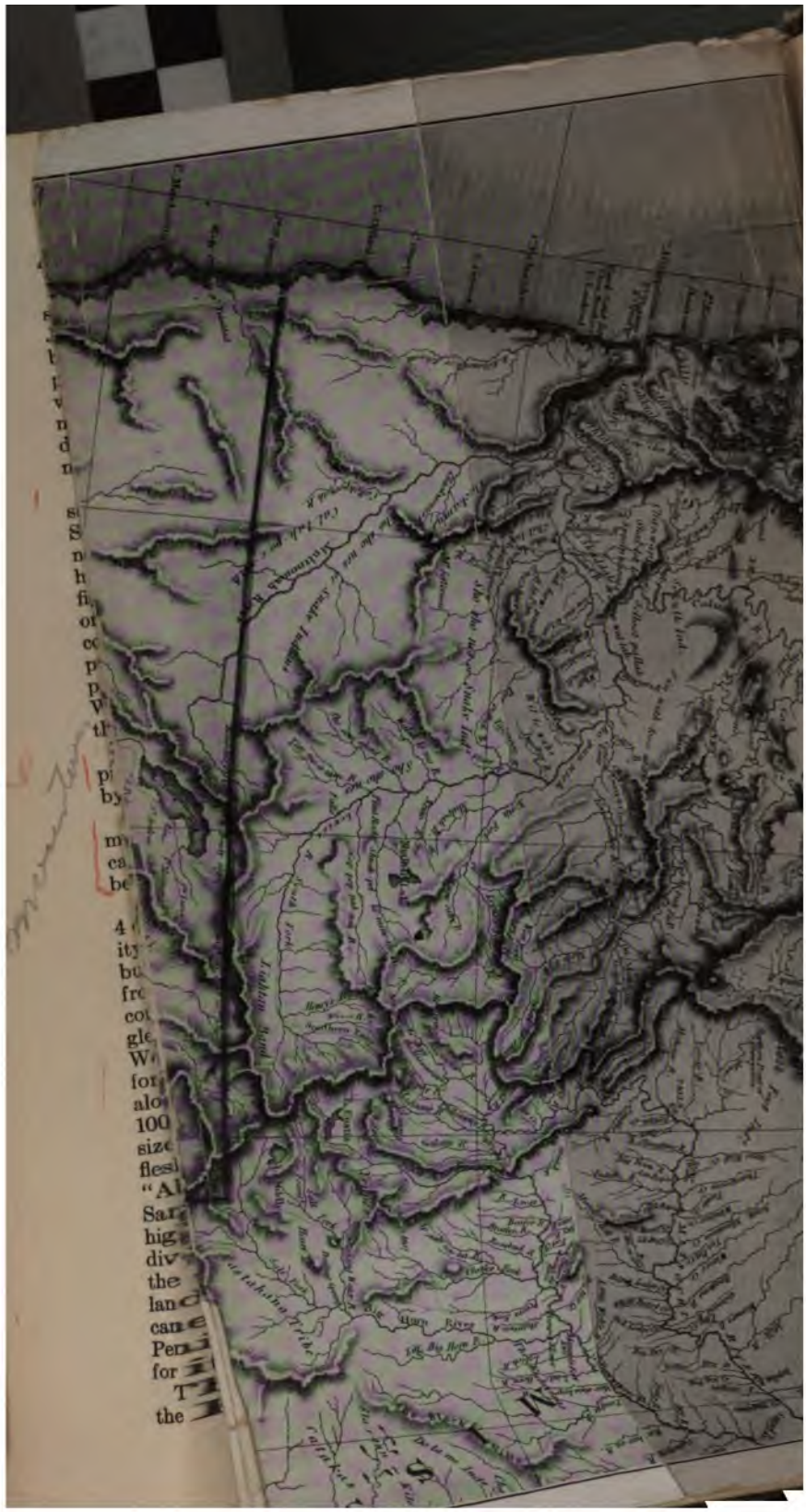
11th—Another day among the mountains. Path difficult. Country wild and picturesque. Well watered. Horned frogs and scorpions in plenty. Camped by a stream. 10 leagues.

We were under the impression here that we should soon get out of the mountains into a beautiful level, champaign country, abounding in horses, cattle, etc., little thinking we were leaving behind us the only tolerable region between Cape San Lucas and San Diego.

12th—Country improving. 5 leagues by the sea shore. Todos Santos at 4 o'clock, P. M. An oasis. People intelligent and pleasant, had much curiosity at meeting Americans and to know where we were going. A large mission building mostly in ruins. A relic of the Jesuits. 12 leagues. As we rode down from the mountains the wind was blowing fresh off the sea and the breakers coming in ten feet high. We galloped along the hard smooth beach in great glee. The shore was strewn with quantities of rare and most beautiful shells. We gathered a great many but did not carry them many days. We saw here for the first time heaped in reefs a singular plant or animal, which we found all along the coast. It was a hollow tube from one to four inches in diameter and 100 or more feet in length, with near one end an oval cylinder of perhaps the size of a half barrel. The substance was like dark rubber and smelled like flesh. Todos Santos was the prettiest and most fruitful place we saw in the "Abajo" (Lower California is so called in distinction from the country above San Diego which is called the "Alta"). There were perhaps 1000 acres in a high state of cultivation. Irrigated by a small river of sweet water which was diverted into hundreds of small channels all finally sinking into the sand near the sea shore. About where the water sank, and on each side of the cultivated land were growing many tall Drascenia palms and dense brakes of common cane. This was the most flourishing establishment of the Jesuits on the Peninsula, one of the few producing a surplus of provisions—which accounts for it being still occupied.

The mission has been suppressed seventy years, and was not transferred to the Franciscans as many others were. We purchased here one good horse and







a mule. The last the most beautiful animal of the kind I have ever seen. She cost us fifty dollars—an immense price when five mules are sold for twenty. We bought her from the Padre. She was his saddle horse. We prized our little beauty, "Jul" as we called her, highly.

13th—Left Todos Santos at 12 o'clock M. Trail along the sea side. I shot three geese and a large strange bird. Lost our way among the sand hills and camped after dark without water or grass. (We thought that night it was pretty hard times.) After a fruitless search for water or some indication of the lost trail, darkness compelled us to throw ourselves down on a sandy plain, literally covered with thorny cactus—unable to eat from thirst, we turned in supperless. This taught us that water might be an uncertain commodity and we did not forget the lesson.

14th—A hard day for man and beast. Started early, rode without food or drink until 2 P. M., found a pond of brackish water. Horrid stuff. The horses would not drink. We made some coffee but it was not good. Pushed on till dark to a little deserted brush shanty where we found a small pool of repulsive bitter water. This day we had suffered much. (We did not know what suffering was yet.) The road good along the sea. This is a desert in reality, about 25 leagues from Todos Santos. Early in the day we found growing by a salt pond several clumps of tomato plants bearing fruit about the size of peas. They tasted grateful to our parched mouths. We thought they must be indigenous. That afternoon old Joe made an estampede. It was a way he had when the trail or anything did not suit him. Nye chased him around among the cactus for an hour, perfectly furious with the old villain. Despite our trouble we could not help laughing at the old rascal's maneuvers and dodges. Our camp was a sorry place. Fare—dry jerked beef and hard bread *solo*.

15th—Sunday—Detained two hours hunting for Nye's horse. Road much the same as yesterday. A barren plain along the coast, broken by ravines, destitute of water, no vegetation but cactus. A mountain range in the distance to the east. Camped early near another deserted brush ranch. Have dug a well and found tolerable water enough for ourselves and the poor animals. The Pacific is roaring within a few rods of us. We have gathered drift wood on the beach and built a big fire on the lee side of a high rock. 10 leagues to-day. What a life! "Home Sweet Home." How my thoughts travel back! And how little do you all know what I am enduring. Now for the blanket on the ground. These "ranches" I mentioned were brush huts, the temporary shelter of herdsmen when from rains there might happen to be feed for stock, and were the only signs of habitation.

Our camp was a somewhat romantic place. A small rocky promontory, on which the sea dashed with fury; roaring and rumbling in the caverns worn in the rocks by the beating waves. Many rugged crags stood breasting the surge out from the shore. In the night I was awakened by the most hideous screaming and howling imaginable. I thought we were beset by a legion of wild beasts, in haste seized my gun and woke up Nye. He, an old sailor, at once recognized the voices of sea lions in what so alarmed me. They were all around us attracted by the fire. Though reassured, I did not sleep much more that night.

16th—I was aroused this morning by the cry, "Come, boys, 4 o'clock." We soon saddled up and were off. The trail left the coast and took off among the hills. About noon a horse gave out from hunger and thirst. We left him

[redacted] much to our joy. There is no grass. [redacted] (our poor animals are failing fast. Provisions [redacted] is an indefinite distance [redacted] A crisis in our affairs [redacted] "never say die" is our watch word. The boys are [redacted] you try for me." I must join. We've made a [redacted]

[redacted]—The [redacted] and left us in a fix. After [redacted] our poor jaded horse and prepared for [redacted] Van came in from the hunt and with him [redacted] much a few miles in the interior and [redacted] immediately. And here we are trying to [redacted] and [redacted] more horses. Indulging the while [redacted] We have found here a gentlemanly Portuguese, [redacted] the prospector. He speaks English. (From what they tell [redacted] being brought to a terminus. The trail we [redacted] through a sandy desert without grass or [redacted] Many where we would have found neither, nor any [redacted] (our only escape would have been to come [redacted] which we never would have done. The trail was one used by [redacted] at certain seasons they went down to the Bay to trade with [redacted] and then they packed water with them. So in all probability, *old* [redacted] a vaquero brought him in that evening.

[redacted]—[redacted] at all times at the rancho, buying horses and making provisions for [redacted] Poorly very kind. The Portuguese very intelligent. [redacted] fine vineyard and fruit trees in a valley back in the mountains. My [redacted] a beauty but wild like the Californians themselves. Much [redacted] their wonderful performances with the Lasso. This seems a [redacted] of a California ranch. The old proprietor is as one of the [redacted] Patriarchs. They are a better people than the Mexicans. Now to my [redacted] They have spread ox hides on the ground for us to lie upon, quite a [redacted] of civility towards us. This place is called the "Rancho Colorado" [redacted] the river of that name on the bank of which it stands. The house is a [redacted] ramada constructed, built of reeds and brush interwoven. The roofs [redacted] and huge. One half of one side open. A ground floor. In the corner of [redacted] a clay furnace for cooking. The river is dry now except a large and [redacted] pond of several acres which is the water supply for the establishment. [redacted] purposes there are under the shed two large vessels of porous [redacted] kept filled with water, and in which it becomes very cool. The Portuguese told us that years sometimes passed without the river flowing; but occasionally it was furious, which was apparent from the immense channel and marks of destruction. Such is the character of most of the streams in the Abajo. At the time we passed there had been scarcely any rain for five years. The people live almost entirely upon beef cooked every way except any mode we were accustomed to, but they never fail to add chili pepper enough to bring tears from the eyes of a dried codfish.

We bought a steer and had the man dress and jerk the meat for us. They roasted the head, hair, horns, and all with hot stones in a hole in the ground. They politely invited us to share. We were not fastidious and laid hold. We found it perfectly delicious. They were much interested in our revolvers. Had never before seen such a weapon. But what they most coveted was

tobacco. Our stock of that was low and Nye and I were smokers, yet we divided with them. Afterwards we smoked willow bark ourselves. The old proprietor was years ago a leading politician in Mexico. Was exiled to this place by the Emperor Iturbide. He had here an immense tract of desert land and about 2000 head of cattle and horses, his sole wealth. We learned from Francisco, the Portuguese, that the journey before us was a serious affair. He gave us much advice which was of timely benefit. He told us of a party who from lack of precaution had not long before perished on the same route. Under his supervision, we were furnished with a number of leather water bottles which they all charged us to fill at every opportunity. Told us to throw away our Mexican bridles and huge steel bits and ride our horses with hackamores (head halters). Also provided a stock of dried beef and "pinole" (wheat ground by hand on a tortilla stone.)

19th—Packed up this morning at ten o'clock and with regret bade adieu to our friends of the rancho. Their kindness was in such contrast to the horrid country. We made them all a gift of some kind from our scanty store. I gave Francisco my red silk scarf which he had admired. They sent a man this far to guide us on the right way to San Luis. The path is rugged over shelving rocky hills and dry rivers. Five fresh horses make our cavalcade imposing and carry us along finely. We camped at six on the bank of the Rio Passeo with wood, water and plenty of grass. 14 leagues. (The grass was always dry like hay. Horses do well on such feed. The trouble was its scarcity. To one who has never seen a such region it is hard to describe the awful sterility of the country we passed over for many days thereafter.)

20th—Broke camp at 6 o'clock. Over many stones reached San Luis at 12 M. Now this was one of the places laid down on our chart, and from what they told us at "Rancho Colorado," and I am sure they told us all they knew, we expected to find at least a small village, but it is nothing but a deserted old Jesuit mission, in ruins. It stands solitary in the midst of desolation. Searching around we found an old decrepit Indian who lived somewhere in the village who showed us some paintings of the Madonna and saints in good preservation. The mission is a large stone building and a fine specimen of old Spanish Architecture.

"Any eggs?" No hay. "Tortillas?" No hay, Señor. "Any bread?" Tam Raco (as little). "Nada, nada, para comer" (Nothing to eat.) But after some persuasion he produced some food. Camp 8 leagues from San Luis. No water to-night but our canteens, and no certainty where we shall find more. There is nothing so fearful to us traveling in this desert as that we may not find water. (The old Indian at the mission was not disposed to give or sell us anything. Nor would he tell us anything about the trail or country as we expected. We found this disposition manifested frequently by these people and often threats went farther with them than persuasion.)

21st—Started early, have been wandering all day among rocks and over mountains. For many leagues have had no trail. We are lost. How will we get out of this scrape? Fortunately we have found water and grass. We are bewildered but not at all discouraged.

22nd—Under way at 6. Found the trail. What a cursed country! Rocks, thorns and this cursed cactus! the devil's own plant. Old Joe, confound him, got up several estampedes. Plenty of water but little grass. Nye shot a huge rattlesnake. We are hard up but full of spirit. My only pair of breaches is in rags, used up by the thorns. Well, my skin is sound yet. (The only vegetation

[illegible] there was a [illegible]
[illegible] shivered [illegible]
[illegible] and fissures
[illegible] small ranch where we [illegible]
[illegible] up and down [illegible]
[illegible] 10 at night, stuck in a [illegible]
[illegible] I am keeping up a fire of dry [illegible]
[illegible] spot where we can lie [illegible]
[illegible] road could be so bad but our [illegible]
[illegible] miserable night. I remember [illegible]
[illegible] courage. How old Nye would [illegible]
[illegible] We learned that day [illegible]
[illegible] we should have kept to the [illegible]

[illegible] the bed of a dry river. Some [illegible]
[illegible] of the ravine we were surpr[illegible]
[illegible] A map of arches, towe[illegible]
[illegible] were in good preservation [illegible]
[illegible] and once no doubt were p[illegible]
[illegible] earth are broken down and [illegible]
[illegible] waste. Nothing remains [illegible]
[illegible] some stumps of vines, to[illegible]
[illegible] the good old fathers and [illegible]
[illegible] gave out. Left him by th[illegible]
[illegible] us to Comondu. Very po[illegible]
[illegible] of fresh beef and soup. Can[illegible]
[illegible] In the afternoon we can[illegible]
[illegible] were roasting "Mescal" roots[illegible]
[illegible] and covering the rocks and roo[illegible]
[illegible] is a plant much like the Agave.
[illegible] sold us some. The costumes o[illegible]

in a singular manner and piled fantastically one on another. They could not be more rugged. Over such a country we picked a difficult way, depressed by the suffering of our poor horses and the utter desolation around us. Unexpectedly we came to the margin of a great chasm. Some one said, "See, there is Comondu." Looking down there lay, some 200 feet below us, a perfect picture. A beautiful little valley green as an emerald, while the sunlight glancing from water fairly made the very horses laugh. Impulsively we scrambled down the barranca side at a breakneck pace and soon arrived to the satisfaction of man and beast. We were tired out but here we now are enjoying plenty of good food and sweet water, and our poor horses are revelling up to their knees in green grass. This is another station of the good Padres. Judging by the work they did there must have been many more people in the country in their time than now. A place could not be more secluded than this. Yet the people appear happy. They are quite civilized and a large proportion are part blood Castilian. The valley is about two miles long and 2 or 300 yards wide. Plenty of running water which they say never fails. The products are corn, grass, sugar cane, oranges, olives, figs, bananas, pomegranites and grapes. From the latter they make an astringent wine, like a bad port. Here we will lay in supplies of food for the next objective point, San Ignacio. We must be coming within the gold mining influence. Things are getting dear. They have heard here of "oro" and some have even left this valley of content to search for it in the "Alta."

28th—Resting at Comondu. In the morning repaired my tattered clothing. In the afternoon rode up the valley and went through the mission building. It is a fine large stone structure in good condition. In the belfrey is suspended a chime of four large Spanish Bells, on one was an inscription "Valladolid, 1643." Bought a fine horse for $25. Saw many vines and fruit trees. The valley is all closely intersected with small irrigating canals, and all cultivated. We feasted on strawberries. Have hired a guide and will start in the morning. Now to my blankets and saddle pillow.

29th—Slept well and long and dreamed of home. Purchased a mule and at 5 P. M. packed up and with some regret bade adieu to Comondu, the valley of the vine and fig tree. Rode about a league down the cañon and camped under trees by the brookside. Horses feasting on sweet clover. Like my new horses very much. The animals improved by their rest. Old Joe running loose. Fine moonlight. Ten o'clock. Turn in.

30th—Started at six. Valley soon opened out into the coast desert and the brook disappeared in the sand. Goodbye sweet clover. Turned to the right over low sandhills and into the Camino Abajo. Killed a large rattlesnake in the trail. Once more on the Pacific Coast. This guide is an old fool. "No sacate aqui." (No grass here.) Late march. Camp at 8. 10 leagues. (We thought the guide knew nothing of the country because he found no grass. We afterwards knew we had wronged the old fellow, for there was no grass to be found, only burrs and thorns).

May 1st—May Day. What are they doing at home? God grant they are all well! Started very early. "Rio Purisima" and a ranchetta. Brackish water. Rio San Gregorio. Very salt. Hills of loose drifted sand. Joe stampedes. Camp near the sea. 14 leagues. No grass. My pipe is out. Goodnight.

Miller and the old mule had a long race that day over the sandhills and through the cactus. I could have pardoned the Lieut. had he killed him as

he vowed he would. Our camp was in a singular place, on a flat behind a bank of sand thrown up by the sea, perhaps 100 feet high extending in each direction as far as could be seen. We climbed up the steep landside to the top of the ridge and were surprised to find that the land where we were camped was many feet lower than the ocean. It may have been high tide. The land where we camped was full of scorpions. We always scraped the place to spread our blankets, for scorpions, tarantulas and centipedes, but that night, I remember they were so thick we gathered a quantity of dry cactus and burned off a sleeping place.

2nd—Sand hills. Galloped along the smooth beach. Many beautiful shells, wish I could carry some with me. Seals and sea lions lying out on the rocks. Small spring of fresh water. Leave seaside. Rocky hills, "mucha piedra." Camp late in the little valley. No pasture. Moonlight 11 o'clock. 13 leagues.

3rd—Country rolling. Barren as usual. San José de Gracia. Vines, figs, oranges and bananas. As usual "No hay nada para comer," that is, we have nothing to eat. Short stay. Steep mountain climb by a stony trail and many stones. Late march. All in an ill humor. Camp at 10 P. M. on a bleak mountain top without grass or water. Fasten horses and mules to cactus stumps. It is cold. 18 leagues. 12 o'clock.

4th—Morning cold. Stones! Stones!! Stones!!! Up and down steep hills and deep barrancas. Miserable dry grass all day. At noon we came to El Patricio, an adobe mission in ruins. An Indian family in a corner room of the old building. Water and palm trees. A "diamond in the desert." Got some food for ourselves and cane leaves for the horses. Camp in a valley all rocks. No grass again. Slim supper. One long treasured small Bologna sausage for five men. 12 leagues.

5th—Country all the same. About noon found off the trail, a small spring of sweet water, with cane growing around on which we fed our starving animals. At 6 P. M. came to a hut in a pretty little valley. It was inhabited by an American, a native of Connecticut. He had lived here alone for many years. He came to this coast with Commodore Porter in 1813. Could hardly speak English. Left our guide here. Pushing on made San Ignacio at 10 P. M. much jaded. The mission looks splendid by moonlight.

6th—The Mission of San Ignacio. This is the largest and best preserved of these old establishments we have seen. We spent the day rambling through the building. The interior of the rooms is well finished with plaster frescoes, carved woodwork and paintings. Much of the color on the walls is yet fresh and bright and seems as if the Padres had just left. In the refectory were stone tables and stone benches and on the plastered wall was plain to be seen the mark of greasy heads made many years ago. There are some good framed pictures of the Saviour and Saints. One large historical painting of the battle of Lepanto. The remarkable feature of which is the Heavenly Father above in the clouds directing a host of angels who are hurling darts upon the poor Turks. Don Juan of Austria is about four times the usual stature, and is swinging a flaming sword. How interesting are these relics. They seem to resemble what is told of Tadmor and Petrea. So massive and beautiful. Yet deserted in a wilderness. I remember reading of the Padres "Urgarte" and "Salva Tierra" who led the way and gave their lives to this great and humane endeavor of the Jesuits to Christianize and ameliorate the conditions of the miserable savages in this inhospitable region. About 100 half civilized Indians live around in



mud huts covered with cane leaves kept together by a superstitious reverence for the old place which they keep clean. They dare not touch to injure or take away anything. Even the silver censers and other vessels of silver remain on the altar. A priest comes once a year to marry them and to say mass for the dead. When the old Indian who guided us through the building pointed out San Christo (Christ), San Pablo, San Ignacio and other saints, I asked him "Which of these is the biggest man." He seemed surprised at my ignorance and answered quickly "San Ignacio, Señor, he is the greatest man of all." "What kind of a man was San Christo?" "Oh muy buen hombre, no mucho grande" (a very good man, but not very big). The boys have gone to a fandango. I am alone by the camp fire, thinking of home and friends who I am sure are thinking of me, a weary wanderer. A long road is yet before us. Horses weak, money scarce, clothes in rags, and barefooted, save slips of rawhide, but we are not discouraged. To-morrow's sun must see us many miles hence. Here we had to choose between two routes. The "Camino Abajo" by the ocean coast over sandy plains with neither grass nor water for nine days except what we could pack. This would take us to Rosano (a point we must make in ten days), but we knew that in the weak condition of our animals we would never get through. So determined to attempt without a guide a trail over the mountains to the Gulf and thence back to the coast. This we were told was a 20 days journey but we would find water and grass occasionally.

10th—All but myself have turned in. I am alone by the fire tending a pot of soup for breakfast. And will try to bring up my neglected journal. God knows there has been enough lately to prevent my writing. We were detained in San Ignacio the 6th purchasing a horse. Next morning our best mule, a valuable and beautiful animal, was missing. These people had tried to buy or trade us other mules for her, failing that, the cut throat villains had stolen her away in the mountains where we could not find her. They took advantage of our necessity to ask an exhorbitant price for any other mule, far more than we could afford to pay. Our remaining animals had not strength to pack our scanty stock of baggage, provisions and the water which we must carry, so we were stuck fast. All we could get to replace our pretty Jul was a miserable old horse. We went to the Indian Alcalde. He only laughed at us. The day before he could talk Spanish fast enough. Now all we could get out of him was "no entiendo" (don't understand.) We were sure that he was the very thief. We could not bear to give up the only animal that we could depend upon. It seemed like risking our lives to go on without her to pack water. In our anger we almost cried. We left the place the evening of the 7th—and for three days have been getting along badly enough. Our animals and ourselves have suffered much. This afternoon we found this spring of water and grass just in time to save their lives and our own. Two horses lost in one day from thirst. We fear they will all go soon. We have thrown away all baggage not indispensable. We are at least 20 days from San Diego and will probably make a barefoot march through this mountainous desert, almost destitute of water. The only water from San Ignacio here we found in a deep rock cavern and bitter at that. We are in a difficult position but must go on. I never before found myself in quite so tight a place. We are all good game yet and whistle and sing. (I will record a transaction omitted from my journal because I had not yet seen and suffered quite enough to be satisfied that "necessity knew no laws." We did not know the full value of our good mule until at last we started without her. After beating along the miserable old substitute for

about 5 miles, we halted, and after a consultation agreed that while one kept camp the others should go back and make one more attempt to recover Jul. That failing, we would, at all hazard, seize the best mule we could find. So leaving Van, three of us put our pistols in order and mounting the best horses, returned to the village. Our search and demands were of no avail, though we threatened to burn the whole place unless they produced her. So we openly took possession of the Alcalde's best mule and led it off to camp. We then packed it and started off by moonlight, traveling all night to elude the pursuit. Making a short halt the morning of the 8th we kept on over a dreadful road. About the middle of the afternoon while winding through a narrow chasm we found ourselves surrounded by an over-powering band of 100 or more black rascals, armed with escopetas. We kept them at a safe distance with pointed guns, but we were out of water and it was evident they would kill the whole of us in such a place, so preferring discretion to valor we turned the mule loose, after which they did not molest us. It was well for them they did not. We were desperate and had ready in hand 60 shots. For the next two days our suffering was very great. It was by a last struggle we reached this water spring. Before leaving there we determined to obtain what we must have to live, peaceably if we could, but forcibly if we must, and that we had as well die one way as another. In that spirit we prosecuted the rest of our journey to San Diego. With some reluctance I must tell how near our expedition came to a tragic close. The facts are like a horrid dream. On the 9th the trail was over a dry desert where tracks left but a dimple in the hot sands. Neither water nor grass all the day. At night we threw down on the plain, tied the animals to cactus. We divided and drank our last few swallows of bitter water and laid down. We could not eat, could not sleep from thirst. We started in the morning early. The sun came up as a great ball of fire. To the east was a range of hills. There was the only chance for water. We traveled for them. About noon, two horses laid down and died. We came to a dry cañon. The heat was intense and our tongues were so swollen we could scarcely speak. Presently the cañon grew narrow. A high rock threw a few feet of shade on the burning sand. All, men and animals, crowded into this shade, but this would not do. Van and I drove the animals out. Nye and Miller lay down under the rock and could not come. There was no time to lose. It was simply find water or die. We left them and we had not gone far when a Jackass—one we had brought from the Rancho Colorado—pricked up his ears, gave a loud bray and started on a run, square off, up the steep side of the cañon. All of the other animals followed pell mell up the hill side, over the ridge and out of sight in a cloud of dust. Van and I climbed slowly after them to the top and there looking down we saw a little green valley, a water brook and the mules and horses standing in the water drinking. We got there quickly and drank our fill. Then we filled two leather bottles with water and I hurried back to the rock. Nye and Miller were both asleep in a stupor. I poured water in their mouths and with an effort aroused them. That time the instinct of a Jackass saved us. We never would have found that water but for the Jackass.

12th—Sunday. At three P. M. yesterday we left the camp by the stream and left with regret. We had suffered so much from want of water we did not like to go away from this sweet spring. The horses' feet were so sore we could scarcely force them over the stones and we were compelled to walk. For several hours we wound up a steep mountain, several thousand feet. The

Gulf Islands and opposite coast in full view. Before us rose peak upon peak of bare burnt rocks. The scene altogether barren and forbidding. One might well think there was a curse resting upon this region, this perfection of eternal desolation. In the whole expanse not a living thing save the never failing cactus, which itself is a curse in many forms. The ascent was difficult and the descent was equally painful. One barranca succeeding another. Night found us in a deep, dark gorge with not a star visible. Thirsty and without water we laid down on the rocks, supperless. When we left the spring we filled Nye's rubber pillow in addition to our leather water bottles, but somehow it was all gone. Water! Water!! what will one not give for it under such circumstances. We broke up this morning before daybreak and following down the ravine reached this little mission of Santa Gertrude. We asked to buy food, but as usual "No hay nada." We compelled them to give us some beans and barley bread. What once was the Mission garden is now a marshy canebrake. We pulled down the wall and turned our horses in there. This morning we left a horse to die. Poor progress, only 36 leagues in five days. At this rate we will be all summer reaching San Francisco. For the next three days there is an herb poisonous to animals. To guard against it we took a guide to San Borghia. In the old mission are a number of Catholic paintings and some gold or gilded ornaments. Our clothes are much dilapidated. If our friends could but see us they would think we suffered intolerably, while in fact we are completely hardened and try to think of nothing but getting out of this predicament. Today I observed 12 species of cactus (confound them all!). Noticed yesterday on the mountain two new singular varieties. One like a large round bottom basket inverted, thick-set with spikes 6 inches long but bearing magnificent crimson flowers. There were two Indian families here. They had several animals, one a Jackass, a much hardier animal than a horse or a mule. We wanted him to pack water and offered them treble his value but they would not sell him. So we paid them a fair price and to use Nye's language "Annexed" him and ~~at first~~ called him "Texas," but afterwards "Paul" after a picture in the mission.

18th—On Monday at 3 A. M. we left Santa Gertrude and by moonlight proceeded down the Pacific slope over rock and stone. About 10 A. M. the trail turned and again began to ascend the dividing ridge. We noticed that the blue volcanic trap rock and black obsidian had changed to granite and stratified. The first time we had met with primitive rock. Reached the summit at noon. We had made a liberal advance payment for our Jackass and here where we would first need him he gave us the slip. So we descended alone into what was to us as a valley of death. Our apprehensions were kept alive by seeing frequently skeletons and bones of horses. After four days struggling through the mountains, losing another horse and enduring hunger and thirst we arrived at this place, San Francisco Borghia. Entirely out of provisions and nearly famished. Last night we pounded an old piece of rawhide and boiled it for soup. This is a poor place to recruit. There is but one family of five Indians. They are living on Mescal roots. We cannot eat it. ~~It is for us like Castor oil~~. All we can get from them to eat is green peas and beans. They have a small patch of barley, not quite ripe. The women are drying the plucked heads in earthern ollas over a fire, shelling and pounding the grain to prepare us a small stock of pinole for the road. There are some small rabbits about the ruins. Nye and Van are watching to shoot them. I think we can keep soul and body together until we reach Rosano, 11 days

hence—where they say there is meat. We have taken possession of the room in a massive old ruin, our fire is built on the paved floor of pieces of broken down windows, shutters and doors. These doors and shutters are curios. They are some four inches thick and all made of small pieces of very hard wood, ingeniously dove-tailed together. We wonder where the Padres got this wood, and how and by whom all this work was done. There is something very impressive about these old solid buildings. We keep a pot of peas constantly boiling—trying to fill ourselves, but they do not give much strength without salt or fat. We are altered in feeling as in appearance but yet try to keep up our spirits. 46 leagues from Santa Rosana.

26th—My journal is sadly neglected. It gives me no pleasure. It is only a monotonous record of suffering and disaster. We made San Fernando this morning in eight days. 62 leagues from San Borghia. Soon after we left San Borghia we were overtaken and passed by our San José Captain—an old Rosano man with a train and a party of Mexicans all bound for the "Alta." The two latter parties had come from Guaymas by the way of Loreto. They were all better equipped and left us. The road and country have been notably execrable even for this horrid land. Hot sandy plains, stony mountains, scarcity of water and food, barefooted men and sorefooted horses make up a catalogue of trouble. One mule made a dead set, would go no further. We shot her to save a lingering death. Our fare has been a small measured portion of barley pinole and a little tallow, bought by much coaxing from the old Rosano man, also an eagle which I was fortunate to shoot. We made soup of him, he was too tough to eat. Three nights ago after crossing the worst mountains of the whole route, we camped near the ruins of the mission of Santa Maria, in view of and near the Gulf. We could not imagine why the Padres ever built a house in that barren and uninhabitated place. So barren that there was no sign for many miles on either side of any one having lived there. Save the little spring there was no inducement. It showed strongly the value of water in such a thirsty land. Now we are once more on the Pacific Slope. We have crossed the dividing ridge six times from San Ignacio and hope to and must procure some fresh animals or go afoot. As it is we walk nearly all the way and could get along faster without the horses but we can't carry water, and have no shoes. This old ruin is a miserable place. There are four root eating Indians living in a corner of the house where they have patched the fallen roof with cane leaves. They have preserved superstitiously some old defaced images and pictures.

In this time of trouble I think often of home and friends far away. Perhaps it would have been better for me had I not left them. I am glad they know nothing of this situation. Our endurance is now near an end but our courage rises against difficulties. We have more confidence in the future knowing what we have already overcome. San Francisco is our watch-word and out of this darkness the Alta still looms up like a star of hope.

(The last two entries need no supplement. They are enough alone without comment but I must here say, that in the worst time our scanty food and water were always divided impartially and that we constantly strove to help and encourage each other. Nye was a hero. In every strait he acted with noble courage and self denial.) From here there is an interior of my notes which I will fill from recollection. Three days more through a desert with little to live on but Faith brought us to Rosario. On the road we shot two worn out horses to save them from starvation. Our cavalcade that entered

the village was rather sorry. For weeks our fare had been slim and this in addition to walking over sharp flints with no protection to our feet but slips of rawhide, had reduced our strength exceedingly. So it was with satisfaction we saw hanging to a tree parts of a newly slaughtered beef. We soon invested a large part of our capital in a huge piece and camping at the first convenient place, commenced broiling and eating until we were gorged, as a consequence, in an hour's time every one was very sick. We remained three days resting and recruiting with plenty of food and water and grass. Here we again met with trees. Live oak and sycamore. We exchanged several worn out horses and some blankets for a good horse and another donkey—and once more were all mounted. My caballo being the aforesaid donkey. From Rosario the country improved gradually, and we always had enough to eat and found water and grass every day. The most of the way the trail led along the coast. One day we were compelled to make a detour from the coast to avoid the odor of a huge stranded and decaying whale. To our disgust 100 or more wild Indians were on or around tearing off and devouring the putrid flesh or rolling on the sands and howling like coyotes as if in pain. It was surprising to notice the great quantity of whale skeletons and scattered bones everywhere along the beach. The wild Indians about here are nearer brute beasts than anything we had seen or imagined in human form. They appeared to have no houses and live around like wolves or jackrabbits. We were told at Rosario to be on guard at night as they have bows and would creep near camp and shoot our horses with poisoned arrows to get their flesh to eat. Accordingly we were careful where we camped and kept watch by turns. We passed several small valleys and brooks and five or six missions in ruins and deserted, but every day came to one or more ranchos of a better kind than we had seen. At some of these we were treated kindly, at others they would neither give or sell to us. At one place "Ensenada" there was an abundance of corn, beans and beef. We were out of food and tried to buy, but the swarthy proprietor ordered us away with insulting words. So we just quietly took what we needed and threw down to him in money a fair price for the food. We travelled early and late and as fast as possible. We felt sure that could we reach San Diego our countrymen would relieve us.

June 11th—San Diego—Once more in the dominion of the Stars and Stripes. Never did I feel such a thrill as when yesterday we suddenly hove in sight of the Star Spangled banner and knew that now we were under the protection of the flag of our beloved country. Impulsively we gave cheer upon cheer. Once again upon American soil. Out of that infernal Mexico. Looking back the past is like a horrid dream. My last entry was at San Fernando, since then I have not had spirit to write—or any desire to keep a record.

APPENDIX D

RICHARD KERN'S MANUSCRIPT REPORT OF 1853 ON THE OVERLAND TRANS-CONTINENTAL ROUTES EXPLORED BY HIM AND THE BEST ROUTE FOR A RAILROAD TO THE PACIFIC COAST AS SUBMITTED TO SENATOR GWINN [SIC] OF CALIFORNIA[1]

Washington 10th Jany. 1853.

Dear Sir:

In answer to yours of the 1st inst. asking for any information I may possess regarding the shortest and most practicable route for the main trunk of a Rail Road from the western frontier to the Pacific Ocean, I respectfully offer the following notes and accompanying map for your consideration.

The route from the frontier, say near the boundary of Missouri and Arkansas, to the Valley of the Rio Grande, New Mexico, and thence to the valley of the San Joaquin, Cal., by what is called Walkers route, presents in my opinion fewer obstacles and more facilities than any other.—Its principal advantages are its directness, following mostly the 35th parallel of latitude, near which are the prominent points of Memphis, Albuquerque, Zuñi and Walkers pass, in the Sierra Nevada. Its freedom from obstruction by snow—its easy passage through the Rocky Mountains, Zuñi Mountains and Sierra Nevada—and its location through a country already settled in a more or less degree as far the 110 meridian—west from Greenwich, and where the necessary material and labor can be obtained—and only needing an outlet to develop its various resources—Its greatest obstacle is the uninhabitable deserts to be crossed between the Little Colorado river and Sierra Nevada, but even these are less formidable than on any other route.

The first section of the route, between the frontier and the Rio Grande presents no difficulty if the valley of that river be entered at the town of Albuquerque, by way of Anton Chico. At this point the main chain of the Rocky Mountains loses its continuity, being broken into small and detached masses or clumps, between which are gaps of easy access,—an excellent wagon road joining the two towns above named, passes through one of these.

To attain this point, either the Arkansas or Canadian River can be followed—The former presents fewer objections as a *site*, being perhaps the best natural road in the world, but, in a measure devoid of the necessary material for the purposes of construction, the only timber of any amount in its immediate vicinity being cotton-wood which is utterly worthless except for fuel. Besides its course involves a large and unnecessary detour to the north.

The following extract from the Report of Lt. Simpson Topg. Engrs., an officer of careful and diligent observation, of a reconnaissance in 1849, following the south side of the Canadian, throws much and valuable light on its practicability and advantages as a route for a Rail Road.

[1] A hitherto unpublished manuscript in the Sutter Papers of the Henry E. Huntington Library and Art Gallery, San Gabriel, California.

"The route from Santa Fé on the south side of the Canadian river—I speak now of the general, not the particular route travelled—is, in my opinion, practicable for the location of a railroad; and the line of its location should be, in my judgment, in order to the obtainment of the best grade, generally on the first riparian bend of the river—I mean of the Canadian river.

The advantages to be derived from this route, as one of location for the great national highway, are its comparative freedom from obstructions caused by snow; its passage for 275 miles through a region mostly of prairie and woodland character, this region thus furnishing the timber necessary for the work; its passage through the Indian country adjoining the State of Arkansas, where coal abounds; its passage through a country capable of affording all the requisite stone material and the necessary supply of water; its line of location being entirely between and parallel to, and never crossing, the two only great rivers of the region of country traversed. These are, in the main, the advantages which this great route possesses."

The reasons for entering the valley of the Rio Grande at Albuquerque, by way of Anton Chico, are the ease with which the Rocky mountains can be passed through, and the absence of difficulty in ascending the dividing ridge between the waters of the Gulf of Mexico and the Pacific Ocean—the Rocky Mountains to the north of this as far as the Arkansas River, presenting an impassable barrier—Besides it must necessarily develop the valley of the Rio Pecos, one of the most fertile in New Meixco—To pass much farther south the famous *Llano Estacado*, or *staked plain*, and a country broken into cañons and rugged mesas interpose.

The average grade is almost nothing—the difference of elevation between the western boundary of Missouri and Anton Chico is about 5000 feet, and the distance to be traveled about 700 miles—giving an average ascending grade of 7 1/7 feet to the mile—from Anton Chico to Albuquerque, is about 100 miles, and difference of elevation about 1000 feet. This is the only part of this section of the road where any obstacle is apprehended, but it has long been traveled with loaded wagons, and but little labor will be required to make it a good route for a Rail Road. From Albuquerque north to near Embuda, and south to Valverde near the Jornada del Muerto, extends the valley of the Rio Grande, the largest and most fertile in New Mexico, studded with towns and ranches, the greater part being under cultivation, and the extremities of easy access.

Sante Fé, except that it is the capital of the territory, presents no claims worth a notice. It is more difficult of approach from the east, and situated as it is, upon the bank of a thread of water, hardly to be designated a stream, it cannot possibly derive any value from the country adjoining it—Besides to reach the Rio Grande by this route, a descent of some 1800 feet in forty-five miles is to be overcome.

The next section of the road is from Albuquerque to the Big Colorado by what is called *Walkers Route*, and the first object here to be attained is overcoming the mesa or table land on the western side of the Rio Grande.—Two ways present themselves.—The first is to follow the usually traveled road to Zuñi, which starts from the village of Atrisco, nearly opposite Albuquerque, and the other is to ascend the valley of the Rio Grande to the mouth of the Jémez River, and ascend the latter as far as the Mexican town of San Ysidro. This is preferable, on account of its gradual ascent, and the narrowness of the Rio Grande at the point where the Jémez River enters it—affording no





and reliable character of the author, help to confirm you in the belief of the practicability of the route I have marked out—

"The distance from Fort Defiance, by a careful estimation, is about ninety miles due west to the first village of Moqui—and about 120 miles to the 7th village. No road has been opened between the two points. Lt. Schroeder 3rd Infy. made a reconnaissance of the route, by my order, with the view of opening a wagon road, and he found the route practicable, and reported that a road could be readily opened, with a few laborers—that it would require but little more work than was requisite at intervals, to cut away the timber. The Moqui Indians raise corn and wheat, and have usually a large surplus of corn. They brought it through to Fort Defiance, upon mules and burros for a market. The seven villages are estimated by Dr. Tenbroeck, who accompanied Lt. Schroeder, to contain about 10,000 souls. As they are habitually hard laborers, I am not certain that they cannot be advantageously employed as laborers, upon any road, to be constructed. The Moquis are said to have produced much larger crops, the last season than usual. I have reason to believe such is the fact, because the Zuñians, have quadrupled their fields. Lt. Schroeder and myself, estimated their fields of corn and wheat, to cover 10,000 acres, when we passed them, in August last. I think the Moquis cultivate more ground habitually, than the Zuñians."

"Fort Defiance, is hardly on the route for a road to the Pacific. My impression is, it should follow the road from Zuñi to Fort Defiance, as far as *Calites*, 23 miles below Fort Defiance, and thence proceed direct to Moqui—The Indians say, this is the best and shortest route, and has the most water upon it. There is an abundance of timber (pine) and stone, between Zuñi and Moqui, and a large bed of semi-bituminous coal, twelve miles from Zuñi on this road. There is but little snow on this route during the winter. In 1852 I do not think it exceeded six inches, while forty miles to the north of Fort Defiance, it was four or five feet deep."

"There is much broken and hilly ground between Zuñi and Moqui but it is not in any respect so formidable as the route over which the Pennsylvania road passes, east of Pittsburgh. Water is abundant, in places, but at intervals of ten, fifteen or twenty miles at times."

"I know nothing of the Ojo del Oso, except from the Indians and traders. It has a good supply of water, and is surrounded by timber—Maj. Kendrick is now about to open a wagon road from the Ojo del Gallo, to the Ojo del Oso, and thence to Fort Defiance. It will shorten the road about 40 miles, by estimation."

"My impression is that no very formidable obstacles to a Rail Road, will be found between the Rio Grand & Little Colorado, west of Moqui.—The route is well worth a minute examination, and in my opinion presents fewer obstacles than any other."

From the Little Colorado to Walkers pass in the Sierra Nevada, two ways present themselves. The first is to leave that river some 30 or 40 miles below the cascade, and striking out nearly west to the Yampais Creek, or Sandy of Walker, follow it to its mouth, which is opposite that of the Rio Virgen, and just below the termination of the big cañon. Crossing the Big Colorado at this point, the Virgen is followed up as far as Muddy Creek, where the bed of the latter becomes the route, to the *Vegas de Santa Clara*, on the Spanish Trail.

The second route is to leave the Little Colorado near the same spot, travel

in a westerly direction for about 40 miles, then turn nearly S. W. until the Bill Williams' Fork is met with, some distance from its head.—The course of this stream should be followed until an opportunity offers of reaching the Big Colorado nearly opposite the mouth of the Mojave, which can be followed to the Spanish Trail. From this point to *Walkers pass* is a level plain, presenting no obstacles beyond the scarcity of wood and water. By this route, the base of the San Francisco and Bill Williams mountains are hugged, thus affording an abundance of pine & cedar timber.

Of the country between the Little Colorado and Walkers pass, no exploration has been made except by Walker, an old and experienced guide and mountaineer. He has crossed it several times, and assured me it was the shortest and most practicable route he ever traveled—always finding an abundant supply of wood, grass and water. He has gone by this route from the California settlements to Santa Fé in *twenty five days*, and returned in 1851 by the same route in *thirty two days*.—He says the most difficult part of the whole distance is in the mountains (already mentioned) between Zuñi and the Rio Grande—this to my own knowledge is of but little consideration.

The scarcity of wood and water on part of the route I have sketched, is its greatest objection—but this applies equally if not more, to the route by the Salt Lake, or the one south of the Gila. On the upper route from *Pilot Peak* to Humboldt River, the country is much broken by isolated ranges of low mountains, rising from sandy plains, affording but little wood, grass or water. Along Humboldt River the country is more rolling, and with better vegetation—Willow in abundance skirts this stream—large timber is scarce, and that only cottonwood. From the sink of Humboldt River to the head of Kern River, the country is broken by low basaltic ridges of mountains. This southern detour from the sink of Humboldt River, seems unavoidable as there are no passes, practicable for a Rail Road, north of that which leads into the head of the San Joaquin Valley by Kern River. In support of this, I extract the following from a letter by Mr. E. M. Kern, who was assistant to Col. Frémont in 1845.

"The entrance into the main mountain in 1845, was so gradual that it was hardly noticed.—We had nothing with us to note the height—Kern River makes a cañon through which it enters the valley—this might be made a good road. If so it would form an excellent pass into the San Joaquin Valley. Before entering this pass, the country to the east opens into a large plain, broken only by an occasional sandy or basaltic ridge—in our first ascent we could see the peaks of the mountains in the vicinity of the Mojave River, and *there can be no difficulty in crossing from the Mojave to this point except the scarcity of wood & water—but the country is a level plain*—Our descent into the valley was broken and rough, though not difficult.—The mean temperature at the head of Kern River, from Dec. 27th to Jany. 17—was at sunrise 26° noon 60°, sunset 52°. The snow was about two and a half feet deep on the *highest peaks* on the 20th of Jany. A better road might be found on further examination. *This is the only pass through to the mountains south of the present immigrant road* (which is certainly not made for a Rail Road)—*This I know, having traveled down the eastern side of the Sierra from near the above point to Kern River*. There may be a way through, by Owens River, but not for wagons, and I think it very doubtful for mules. Col. Frémont tried a pass from the valley up the San Joaquin, but failed.

"As regards Walkers Route which follows up Pass Creek, I know but little,



but from what Walker told me it could be made a good road, as the mountains give nearly out at this point. Frémont in his report, speaks of it as an excellent one for horses, and says 'with a little labor, or perhaps with a more perfect examination it might be made practicable for wagons.' 'Tis useless to imagine that a pass can be found north of Kern River for a Rail Road into either the San Joaquin or Sacramento vallies."

The principal objections to the northern route, are the obstructions caused by the heavy fall of snow on some portions of its passage for eighteen hundred miles, through a country destitute of civilized population, except at the Pueblo de San Carlos, Hardscrabble and the settlements about the Salt Lake.—The first two of but trifling consequence—the impossibility of its passage through the Sierra Nevada, where it is proposed to strike it, involving the necessity of a southern detour of some two or three hundred miles to reach the only practicable passes in this range—and its almost purely local character, requiring long branches to reach it from the southern portion of the states.

The route by El Paso and the Gila, has the same objection as the last one above mentioned. The first part of this route, which lies in western Texas is destitute of timber, and does not present other facilities of construction equal to that proposed by the Canadian River. From El Paso, perhaps the most practicable way is to strike out in a westerly direction to the Rio San Pedro, follow it to the Gila, and thence to the Big Colorado. Of this part of the route I know nothing. From the Big Colorado to Carrizo Creek an inhospitable desert of about one hundred and thirty miles in width, has to be crossed affording with the exception of the mesquite, no vegetation beside some shrubs and bright and rare flowers, peculiar to such an arid and barren spot. Water in uncertain and at long intervals.—Besides its inhospitable character, the heavy sand, ever changing in its nature, presents a formidable obstacle.

The pass through the coast range near Warner's Ranch, in practicability bears no comparison, to those through the different mountain ranges I have spoken of. Emerging from the coast range, the road is steep and difficult in places, shewing between the ranches of Santa Isabella and San Pasqual a difference in elevation of 2334 feet.

San Diego possesses no population or accessible fertile back-country, like San Francisco—and its harbor is far inferior.

In conclusion the following sumary [sic] of the advantages of the route I have indicated is offered.

Its central position, the connections from points on either side being nearly equidistant—its directness and most practicable passage through the different mountain ridges to be encountered—its freedom from snow, part of its location in a region of country already largely settled, rich in mineral, and agricultural resources—and capable in itself of supplying the necessary labor and material for its construction in that section—the knowledge of the greater part of the whole distance, requiring but few explorations to determine at once, its proper locality—the shortness of the intervals between civilised population, and its entrance into, and passage through one of the most fertile vallies in California.

There are of course, numerous and serious obstacles to be overcome—such as scarcity of timber and water—but these are less formidable than on any other route. Let the road pass where it will, an inhospitable region of country *must* be crossed between the Rocky Mts. and Sierra Nevada, and this appears to be the most facile by the route I advance.

An exploration from the Little Colorado to Walkers Pass, returning by the Old Spanish Trail, would at once settle all speculation in regard to these regions, and I feel sure, confirm the truth of what I have advanced. Most of the foregoing has been collected under my own observation, and the rest from information derived from the most reliable sources. Hoping it will at least meet your views and give rise to a rigid inquiry,

I am very respectfully
Your Obt. Sevnt.
RICHARD H. KERN

Hon. Wm. M. Gwinn,
U. S. Senate,
Washington,
D.C.



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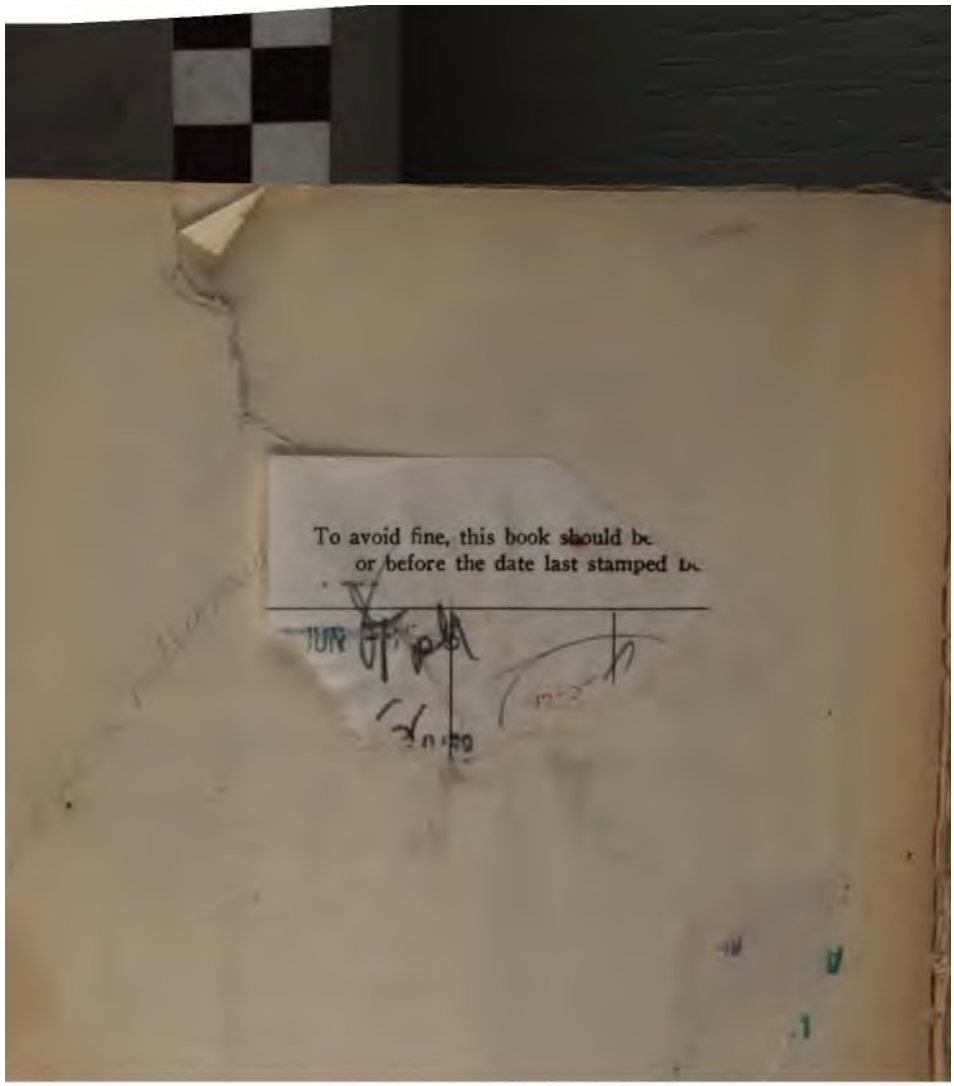
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